

STATE OF NEW YORK

7020

2021-2022 Regular Sessions

IN SENATE

May 24, 2021

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to requirements for certain clinical laboratory practitioners

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 8601 of the education law is
2 amended by adding a new paragraph (g) to read as follows:

3 (g) "Histological technologist" means a clinical laboratory practi-
4 tioner who pursuant to established and approved protocols of the depart-
5 ment of health performs slide based histological assays, tests, and
6 procedures and any other such tests conducted by a clinical histology
7 laboratory, including maintaining equipment and records and performing
8 quality assurance activities relating to procedure performance on histo-
9 logical testing of human tissues.

10 § 2. Section 8602 of the education law, as added by chapter 755 of the
11 laws of 2004, is amended to read as follows:

12 § 8602. Practice of clinical laboratory technology [~~and~~], cytotechnol-
13 ogy and histology and use of the titles "licensed clinical laboratory
14 technologist" [~~and~~], "licensed cytotechnologist" and "licensed histolog-
15 ical technologist". No person shall practice clinical laboratory tech-
16 nology or hold himself or herself out as a clinical laboratory technolo-
17 gist, or a histological technologist in this
18 state unless he or she is licensed or exempt pursuant to this article.

19 § 3. Paragraph (b) of subdivision 1 of section 8605 of the education
20 law, as added by chapter 755 of the laws of 2004, is amended to read as
21 follows:

22 (b) Education: have received an education, including a bachelor's
23 degree in clinical laboratory technology from a program registered by
24 the department or determined by the department to be the substantial
25 equivalent, or have received a bachelor's degree that includes a minimum

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 number of credit hours in the sciences and received appropriate clinical
2 education in an accredited clinical laboratory technology program or a
3 program to be determined by the department to be the substantial equiv-
4 alent or be a licensed or nationally certified clinical laboratory tech-
5 nologist from an accrediting agency acceptable to the department or be a
6 licensed or nationally certified clinical laboratory technician from an
7 accrediting agency acceptable to the department and complete a bach-
8 elor's degree in a natural science with two years of clinically relevant
9 work experience acceptable to the department;

10 § 4. Paragraph (b) of subdivision 2 of section 8605 of the education
11 law, as added by chapter 755 of the laws of 2004, is amended to read as
12 follows:

13 (b) Education: have received an education, including a bachelor's
14 degree in cytotechnology from a program registered by the department or
15 determined by the department to be the substantial equivalent, or have
16 received a bachelor's degree that includes a minimum number of credit
17 hours in the sciences and received appropriate clinical education in an
18 accredited cytotechnology program or a program determined by the depart-
19 ment to be the substantial equivalent or be a licensed or nationally
20 certified cytotechnologist from an accrediting agency acceptable to the
21 department;

22 § 5. Subdivision 2 of section 8606 of the education law, as added by
23 chapter 755 of the laws of 2004, is amended to read as follows:

24 2. Education: have received an education, including an associate's
25 degree from an approved clinical laboratory technician program regis-
26 tered by the department or determined by the department to be the
27 substantial equivalent or have received an associate's degree that
28 includes a minimum number of credit hours in the sciences and received
29 appropriate clinical education in a clinical laboratory technician
30 program approved by the department or a program to be determined by the
31 department to be the substantial equivalent or be a licensed clinical
32 laboratory technician or nationally certified clinical laboratory tech-
33 nician from an accrediting agency acceptable to the department;

34 § 6. Subdivision 2 of section 8606-a of the education law, as added by
35 chapter 204 of the laws of 2008, is amended to read as follows:

36 2. Education: have received an education, including an associate's
37 degree from an approved histological technician program registered by
38 the department or determined by the department to be the substantial
39 equivalent, or have received an associate's degree that includes a mini-
40 mum number of credit hours in the sciences and received appropriate
41 clinical education in a histological technician program approved by the
42 department or a program to be determined by the department to be the
43 substantial equivalent or be a licensed histological technician or
44 nationally certified histological technician from an accrediting agency
45 acceptable to the department;

46 § 7. The education law is amended by adding a new section 8606-b to
47 read as follows:

48 § 8606-b. Requirements for certification as a histological technolo-
49 gist. For certification as a histological technologist under this arti-
50 cle, an applicant shall fulfill the following requirements:

51 1. Application: file an application with the department;

52 2. Education: have received an education, including a bachelor's
53 degree from an approved histological technologist program registered by
54 the department, or determined by the department to be the substantial
55 equivalent, or have received a bachelor's degree that includes a minimum
56 number of credit hours in the sciences and received appropriate clinical

1 education in a histological technologist program approved by the depart-
2 ment, or a program to be determined by the department to be the substan-
3 tial equivalent, or be a licensed or nationally certified histological
4 technologist from an accrediting agency acceptable to the department or
5 be a licensed or nationally certified histological technician from an
6 accrediting agency acceptable to the department and complete a bach-
7 elor's degree in a natural science with two years of clinically relevant
8 work experience acceptable to the department;

9 3. Examination: pass an examination satisfactory to the board and in
10 accordance with the commissioner's regulations;

11 4. Age: be at least eighteen years of age;

12 5. Character: be of good moral character as determined by the depart-
13 ment; and

14 6. Fees: pay a fee of one hundred seventy-five dollars for an initial
15 certification and a fee of one hundred twenty dollars for each triennial
16 registration period.

17 § 8. Subparagraph (v) of paragraph (b) of subdivision 2 of section
18 8608 of the education law, as added by chapter 147 of the laws of 2018,
19 is amended to read as follows:

20 (v) pay a fee of three hundred [~~forty-five~~] **fifty** dollars for a provi-
21 sional permit provided that the fee for a provisional permit as a histo-
22 logical technician shall be two hundred forty-five dollars.

23 § 9. This law shall take effect on the sixtieth day after it shall
24 have become a law.