

# STATE OF NEW YORK

7724

2023-2024 Regular Sessions

## IN ASSEMBLY

June 6, 2023

Introduced by M. of A. CLARK -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to restricted clinical laboratory licenses

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

1 Section 1. Paragraphs (a) and (b) of subdivision 1 of section 8610 of  
2 the education law, as amended by chapter 227 of the laws of 2019, are  
3 amended to read as follows:

4 (a) The department may issue a restricted license pursuant to which  
5 the restricted licensee may receive a certificate to perform certain  
6 examinations and procedures within the definition of clinical laboratory  
7 technology set forth in subdivision one of section eighty-six hundred  
8 one of this article, provided that such a restricted licensee may  
9 perform examinations and procedures only in those of the following areas  
10 which are specifically listed in his or her certificate: histocompati-  
11 bility, cytogenetics, stem cell process, flow cytometry/cellular immu-  
12 nology [~~and molecular diagnosis to the extent such molecular diagnosis~~  
13 ~~is included in genetic testing-molecular and molecular oncology~~], molec-  
14 ular testing, and toxicology (under paragraph (b-1) of this subdivi-  
15 sion).

16 (b) Notwithstanding paragraph (a) of this subdivision, restricted  
17 licensees employed at National Cancer Institute designated cancer  
18 centers or at teaching hospitals that are eligible for distributions  
19 pursuant to paragraph (c) of subdivision three of section twenty-eight  
20 hundred seven-m of the public health law may receive a certificate that  
21 also includes the practice of molecular [~~diagnosis~~] testing including  
22 but not limited to genetic testing-molecular and molecular oncology, and  
23 restricted licensees employed at national cancer institute designated  
24 cancer centers may receive a certificate that includes the use of mass  
25 spectrometry or any tests and procedures acceptable to the commissioner

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

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1 of health, in consultation with the commissioner, in the field of  
2 proteomics, provided that such certificate holders may practice in such  
3 additional areas only at such centers, teaching hospitals or other sites  
4 as may be designated by the commissioner.  
5 § 2. This act shall take effect immediately.