STATE OF NEW YORK

10564

IN ASSEMBLY

March 13, 2026

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:

Section 1. Paragraphs (a), (b) and (b-1) of subdivision 1 of section 8610 of the education law, paragraphs (a) and (b) as amended by chapter 186 of the laws of 2023 and paragraph (b-1) as added by chapter 227 of the laws of 2019, are amended to read as follows:

(a) The department may issue a restricted license pursuant to which the restricted licensee may receive a certificate to perform certain examinations and procedures within the definition of clinical laboratory technology set forth in subdivision one of section eighty-six hundred one of this article, provided that such a restricted licensee may perform examinations and procedures only in those of the following areas which are specifically listed in [~~his or her~~] **such licensee's** certificate: histocompatibility, cytogenetics, stem cell process, flow cytometry/cellular immunology, molecular testing, and toxicology (under paragraph [~~(b-1)~~] **(b)** of this subdivision) **or for which the restricted licensee has obtained a specialist certification from a nationally recognized certifying body acceptable to the department**.

(b) [~~Notwithstanding paragraph (a) of this subdivision, restricted licensees employed at National Cancer Institute designated cancer centers or at teaching hospitals that are eligible for distributions pursuant to paragraph (c) of subdivision three of section twenty-eight hundred seven-m of the public health law may receive a certificate that also includes the practice of molecular testing including but not limited to genetic testing molecular and molecular oncology, and restricted licensees employed at national cancer institute designated cancer centers may receive a certificate that includes the use of mass spectrometry or any tests and procedures acceptable to the commissioner of health, in consultation with the commissioner, in the field of proteomics, provided that such certificate holders may practice in such addi-~~

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

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~~tional areas only at such centers, teaching hospitals or other sites as may be designated by the commissioner.~~

~~(b-1)~~] Only individuals employed in a laboratory authorized by the New York state department of health [~~authorized~~] to perform toxicology [~~laboratory~~] testing, operating under the direction of a clinical laboratory director, may obtain a certificate in toxicology.

§ 2. This act shall take effect twelve months after it shall have become a law.