§ 8608. Limited and provisional permits. 1. Limited permit. On the recommendation of the board, the department may issue a limited permit to practice as a clinical laboratory practitioner to an applicant who has met all requirements for licensure as a clinical laboratory technologist or cytotechnologist, histotechnologist, or certification as a clinical laboratory technician or histotechnician, except those relating to the examination and provided that the individual is under the general supervision of the director of a clinical laboratory, as determined by the department. This limited permit shall be valid for a period of not more than two years and shall not be renewable.

2. Provisional permit. (a) On the recommendation of the board, the department may issue a provisional permit to practice as a clinical laboratory practitioner to an applicant who is employed in a clinical laboratory for the purpose of enabling the applicant to complete the education requirements and/or to pass the exam required for licensure as a clinical laboratory technologist or histotechnician and provided that the individual is under the general supervision of the director of a clinical laboratory, as determined by the department, and provided further that the applicant meets the requirements outlined in paragraph (b) of this subdivision. This provisional permit shall be valid for a period of not more than two years and shall not be renewable.

(b) To qualify for a provisional permit, the applicant shall:

(i) file a provisional permit application with the department;

(ii) have at least one of the following enumerated qualifications:

(A) be licensed as a clinical laboratory technologist, or the equivalent as determined by the department, in another jurisdiction or possess a current certification in clinical laboratory technology from a national certification organization acceptable to the department; or

(B) have received both an education, including a bachelor's degree in the biological, chemical, or physical sciences, and training in a clinical laboratory, provided that such education and training are acceptable to the department; or

(C) have received a bachelor's degree in the biological, chemical, or physical sciences or in mathematics, and have served as a research assistant in a research laboratory, under the direction of the director or the principal researcher of such research laboratory, working on the

research and development of any procedures and examinations to be conducted by a laboratory, as defined in title five of article five of the public health law, on material derived from the human body which provides information for the diagnosis, prevention or treatment of a disease or assessment of a human medical condition; or

(D) for those seeking a provisional permit as a histotechnician, have received an education, including an associate's degree that includes a minimum number of credit hours in the sciences, provided that such education is acceptable to the department;

(iii) be at least eighteen years of age;

(iv) be of good moral character as determined by the department;

(v) pay a fee of fifty dollars for a provisional permit;

(vi) file a licensure application with the department; and

(vii) pay the licensure fee as outlined in section eighty-six hundred six of this article.

(c) Each provisional permit shall be subject to the disciplinary provisions applicable to licensees pursuant to subarticle three of article one hundred thirty of this title.

3. The board of regents and the department are authorized to adopt such rules and regulations as may be necessary to implement the provisions of this section.