

SENATE BILL NO. 7—SENATOR RAWSON

PREFILED JANUARY 6, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Revises qualifications and duties of certain laboratory personnel.
(BDR 54-802)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to medical laboratories; revising the provisions governing the requirements to qualify for certification as an assistant in a medical laboratory; authorizing licensed or certified personnel of a medical laboratory to perform certain tests without obtaining a license for that purpose; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 652 of NRS is hereby amended by adding thereto a
2
3 new section to read as follows:
4 ***To qualify for certification as an assistant in a medical laboratory, a***
5 ***person must be a high school graduate or have a general equivalency***
6 ***diploma and:***
7 ***1. Must complete at least 6 months of training approved by the board***
8 ***and demonstrate an ability to perform laboratory procedures in the***
9 ***medical laboratory where he receives the training; or***
10 ***2. Must:***
11 ***(a) Complete a course of instruction that qualifies him to take an***
12 ***examination for certification in phlebotomy that is administered by:***
13 ***(1) The American Medical Technologists;***
14 ***(2) The American Society of Clinical Pathologists; or***
15 ***(3) The National Certification Agency; and***
16 ***(b) Pass an examination specified in paragraph (a).***

1 **Sec. 2.** NRS 652.130 is hereby amended to read as follows:

2 652.130 ~~{The}~~ ***Except as otherwise provided in section 1 of this act,***
3 ***the*** board, with the advice of the medical laboratory advisory committee,
4 may prescribe and publish rules and regulations relating to:

5 1. The education, training and experience qualifications of laboratory
6 directors and technical personnel.

7 2. The location and construction of laboratories , including plumbing,
8 heating, lighting, ventilation, electrical services and similar conditions , ~~{all}~~
9 to ensure the conduct and operation of the laboratory in a manner which will
10 protect the public health.

11 3. Sanitary conditions within the laboratory and its surroundings,
12 including the water supply, sewage, the handling of specimens and matters
13 of general hygiene, to ~~{insure}~~ ***ensure*** the protection of the public health.

14 4. The equipment essential to the proper conduct and operation of a
15 laboratory.

16 5. The determination of the accuracy of test results produced by a
17 laboratory and the establishment of minimum qualifications therefor.

18 **Sec. 3.** NRS 652.217 is hereby amended to read as follows:

19 652.217 **1.** A licensed nurse who is employed by a medical facility
20 which is licensed pursuant to chapter 449 of NRS may perform any
21 laboratory test which is classified as a waived test pursuant to Subpart A of
22 Part 493 of Title 42 of the Code of Federal Regulations if the laboratory
23 director or a person he has designated:

24 ~~{1.}~~ ***(a)*** Verifies that the nurse is competent to perform the test;

25 ~~{2.}~~ ***(b)*** Ensures that the test is performed in accordance with any
26 manufacturer's instructions; and

27 ~~{3.}~~ ***(c)*** Validates and verifies the manner in which the test is performed
28 through the use of controls which ~~{assure}~~ ***ensure*** accurate and reliable
29 results of the test.

30 **2.** ***Licensed or certified personnel of a laboratory licensed pursuant***
31 ***to this chapter may perform any laboratory test which is classified as a***
32 ***waived test pursuant to Subpart A of Part 493 of Title 42 of the Code of***
33 ***Federal Regulations on the premises of an outpatient center of the***
34 ***laboratory or at a patient's residence if the laboratory director or a***
35 ***person he has designated:***

36 ***(a)*** Verifies that the person is competent to perform the test;

37 ***(b)*** Ensures that the test is performed in accordance with any
38 manufacturer's instructions;

39 ***(c)*** Validates and verifies the manner in which the test is performed
40 ***through the use of controls which ensure accurate and reliable results of***
41 ***the test; and***

- 1 ***(d) Ensures compliance with any requirements for safety adopted by***
- 2 ***the board.***

~