

By Representative Ogles

1 A bill to be entitled
2 An act relating to clinical laboratory
3 services; amending s. 483.181, F.S.;
4 authorizing clinical laboratories to provide
5 their referral sources with specimen handlers,
6 subject to certain restrictions; amending s.
7 483.824, F.S.; revising qualifications of
8 clinical laboratory directors; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (6) is added to section 483.181,
14 Florida Statutes, to read:

15 483.181 Acceptance, collection, identification, and
16 examination of specimens.--

17 (6) It shall not be considered a commission, bonus,
18 kickback, rebate, split fee, bribe, improper referral
19 incentive or inducement, patient brokering, or any other
20 manner of illegal payment whatsoever for a clinical laboratory
21 licensed under this part to provide an individual or
22 individuals to handle specimens, at no charge, to sources of
23 referrals to the clinical laboratory, including, but not
24 limited to, physicians and dialysis facilities, so long as the
25 specimen handler's duties are consistent with those in a
26 clinical laboratory when it collects specimens and the
27 specimen handler does not perform duties unrelated to specimen
28 handling that are normally the responsibility of the referral
29 source's own staff, including, but not limited to, clerical
30 services, taking vital signs or other nursing functions, or
31 testing for the referral source's own laboratories.

1 Section 2. Section 483.824, Florida Statutes, is
2 amended to read:

3 483.824 Qualifications of clinical laboratory
4 director.--A clinical laboratory director must have 4 years of
5 clinical laboratory experience with 2 years of experience in
6 the specialty to be directed or be nationally board certified
7 in the specialty to be directed, and must meet one of the
8 following requirements:

9 (1) Be a physician licensed under chapter 458 or
10 chapter 459;

11 (2) Hold an earned doctoral degree in a chemical,
12 physical, or biological science from a regionally accredited
13 institution and maintain national certification requirements
14 equal to those required by the federal Health Care Financing
15 Administration ~~be nationally certified~~; or

16 (3) For the subspecialty of oral pathology, be a
17 physician licensed under chapter 458 or chapter 459 or a
18 dentist licensed under chapter 466.

19 Section 3. This act shall take effect July 1, 2000.

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22 HOUSE SUMMARY

23 Authorizes clinical laboratories to provide their
24 referral sources with specimen handlers, who shall be
25 provided at no charge and restricted to specimen handling
26 duties consistent with those of the providing laboratory.
27 Revises qualifications of clinical laboratory directors
28 to require that they maintain national certification
29 requirements equal to those required by the federal
30 Health Care Financing Administration.
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