

By the Committee on Health Care Licensing & Regulation and Representative Posey

1 A bill to be entitled
2 An act relating to clinical laboratory
3 services; amending ss. 458.331 and 459.015,
4 F.S.; providing an additional ground for
5 disciplinary action relating to failing to
6 report certain violators; amending s. 483.111,
7 F.S.; requiring certain laboratories to be
8 staffed by certain certified physicians;
9 providing requirements for dermatopathology
10 testing; amending s. 483.181, F.S.; requiring
11 clinical laboratories to report any incident of
12 lost or misplaced specimens; amending s.
13 483.201, F.S; revising a ground for
14 disciplinary actions against clinical
15 laboratories relating to losing or misplacing
16 specimens; providing an effective date.

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

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20 Section 1. Paragraph (nn) is added to subsection (1)
21 of section 458.331, Florida Statutes, to read:

22 458.331 Grounds for disciplinary action; action by the
23 board and department.--

24 (1) The following acts shall constitute grounds for
25 which the disciplinary actions specified in subsection (2) may
26 be taken:

27 (nn) Failing to report to the department or licensing
28 agency any person or clinical laboratory licensed under
29 chapter 483 who the licensee knows is in violation of the
30 chapter regulating the alleged violator, or the rules of the
31 department, the board, or the licensing agency.

1 Section 2. Paragraph (pp) is added to subsection (1)
2 of section 459.015, Florida Statutes, to read:

3 459.015 Grounds for disciplinary action by the
4 board.--

5 (1) The following acts shall constitute grounds for
6 which the disciplinary actions specified in subsection (2) may
7 be taken:

8 (pp) Failing to report to the department or licensing
9 agency any person or clinical laboratory licensed under
10 chapter 483 who the licensee knows is in violation of the
11 chapter regulating the alleged violator, or the rules of the
12 department, the board, or the licensing agency.

13 Section 3. Section 483.111, Florida Statutes, is
14 amended to read:

15 483.111 Limitations on licensure.--A license may be
16 issued to a clinical laboratory to perform only those clinical
17 laboratory procedures and tests that are within the
18 specialties or subspecialties in which the clinical laboratory
19 personnel are qualified. A license may not be issued unless
20 the agency determines that the clinical laboratory is
21 adequately staffed and equipped to operate in conformity with
22 the requirements of this part and the rules adopted under this
23 part. Laboratories which perform anatomic pathology must be
24 staffed by a physician certified in anatomic pathology by the
25 American Board of Pathology, or the American Osteopathic Board
26 of Pathology, or possess qualifications that are equivalent to
27 those required for such certification. For tests in
28 dermatopathology the physician must be certified in anatomic
29 pathology by the American Board of Pathology, or the American
30 Osteopathic Board of Pathology, or possess qualifications
31 equivalent to those required for such certification; or be

1 certified in dermatopathology by the American Board of
2 Pathology and the American Board of Dermatology or possess
3 qualifications equivalent to those required for such
4 certification; or be certified in dermatology by the American
5 Board of Dermatology or possess qualifications equivalent to
6 those required for such certification.

7 Section 4. Subsection (6) is added to section 483.181,
8 Florida Statutes, to read:

9 483.181 Acceptance, collection, identification, and
10 examination of specimens.--

11 (6) A clinical laboratory shall report to the agency
12 and to the licensed practitioner or other authorized person
13 who requested the examination any incident of lost or
14 misplaced specimens within 14 days of the incident.

15 Section 5. Subsection (3) of section 483.201, Florida
16 Statutes, is amended to read:

17 483.201 Grounds for disciplinary action against
18 clinical laboratories.--The following acts constitute grounds
19 for which a disciplinary action specified in s. 483.221 may be
20 taken against a clinical laboratory:

21 (3) Demonstrating incompetence, losing or misplacing
22 specimens, or making consistent errors in the performance of
23 clinical laboratory examinations and procedures or erroneous
24 reporting.

25 Section 6. This act shall take effect July 1, 2000.

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