

By Senator Rodriguez

40-00900B-24

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1 A bill to be entitled
2 An act relating to clinical laboratory personnel;
3 amending s. 483.809, F.S.; deleting requirements that
4 the Department of Health conduct examinations for
5 clinical laboratory personnel licensure and register
6 clinical laboratory trainees; deleting the requirement
7 that the Board of Clinical Laboratory Personnel
8 approve training curricula for licensure of clinical
9 laboratory personnel; repealing s. 483.811, F.S.,
10 relating to approval of laboratory personnel training
11 programs; amending s. 483.823, F.S.; requiring that
12 applicants for licensure as a technologist or
13 technician who meet specified criteria be deemed to
14 have satisfied minimum qualifications for licensure,
15 as applicable; amending ss. 483.800, 483.803, and
16 483.807, F.S.; conforming provisions to changes made
17 by the act; making technical changes; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 483.809, Florida Statutes, is amended to
23 read:

24 483.809 Licensure; ~~examinations; registration of trainees;~~
25 ~~approval of curricula.~~

26 ~~(1) LICENSING.~~ The department shall provide biennial
27 licensure of all clinical laboratory personnel who the board
28 certifies have met the requirements of this part. The license of
29 any person who fails to pay a required fee or otherwise fails to

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30 qualify within 60 days after the date of expiration of such
31 license shall be automatically canceled without notice or
32 further proceedings unless the individual has made application
33 for inactive status pursuant to s. 483.819.

34 ~~(2) EXAMINATIONS. The department shall conduct examinations~~
35 ~~required by board rules to determine in part the qualification~~
36 ~~of clinical laboratory personnel for licensure. The board by~~
37 ~~rule may designate a national certification examination that may~~
38 ~~be accepted in lieu of state examination for clinical laboratory~~
39 ~~personnel or public health scientists.~~

40 ~~(3) REGISTRATION OF TRAINEES. The department shall provide~~
41 ~~for registration of clinical laboratory trainees who are~~
42 ~~enrolled in a training program approved pursuant to s. 483.811,~~
43 ~~which registration may not be renewed except upon special~~
44 ~~authorization of the board.~~

45 ~~(4) APPROVAL OF CURRICULUM IN SCHOOLS AND COLLEGES. The~~
46 ~~board may approve the curriculum in schools and colleges~~
47 ~~offering education and training leading toward qualification for~~
48 ~~licensure under this part.~~

49 Section 2. Section 483.811, Florida Statutes, is repealed.

50 Section 3. Subsections (3) and (4) are added to section
51 483.823, Florida Statutes, to read:

52 483.823 Qualifications of clinical laboratory personnel.—

53 (3) Except as otherwise provided in s. 483.812, a
54 technologist or technician applicant for licensure who satisfies
55 the requirements in 42 C.F.R. s. 493.1489 to perform high
56 complexity testing is deemed to have satisfied the minimum
57 qualifications for licensure under this part to perform high
58 complexity testing as a technologist or technician in this

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59 state.

60 (4) Except as otherwise provided in s. 483.812, a
61 technician applicant for licensure who satisfies the
62 requirements in 42 C.F.R. s. 493.1423 to perform moderate
63 complexity testing is deemed to have satisfied the minimum
64 qualifications for licensure under this part to perform moderate
65 complexity testing as a technician in this state.

66 Section 4. Section 483.800, Florida Statutes, is amended to
67 read:

68 483.800 Declaration of policy and statement of purpose.—The
69 purpose of this part is to protect the public health, safety,
70 and welfare of the people of this state from the hazards of
71 improper performance by clinical laboratory personnel. Clinical
72 laboratories provide essential services to practitioners of the
73 healing arts by furnishing vital information that is essential
74 to a determination of the nature, cause, and extent of the
75 condition involved. Unreliable and inaccurate reports may cause
76 unnecessary anxiety, suffering, and financial burdens and may
77 even contribute directly to death. The protection of public and
78 individual health requires the licensure of clinical laboratory
79 personnel who meet minimum requirements for safe practice. ~~The~~
80 ~~Legislature finds that laboratory testing technology continues~~
81 ~~to advance rapidly. The Legislature also finds that a hospital~~
82 ~~training program under the direction of the hospital clinical~~
83 ~~laboratory director offers an opportunity for individuals~~
84 ~~already trained in health care professions to expand the scope~~
85 ~~of their careers. The Legislature further finds that there is an~~
86 ~~immediate need for properly trained personnel to ensure patient~~
87 ~~access to testing. Therefore, the Legislature recognizes the~~

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88 ~~patient-focused benefits of hospital-based training for~~
89 ~~laboratory and nonlaboratory personnel for testing within~~
90 ~~hospitals and commercial laboratories and recognizes the~~
91 ~~benefits of a training program approved by the Board of Clinical~~
92 ~~Laboratory Personnel under the direction of the hospital~~
93 ~~clinical laboratory director.~~

94 Section 5. Subsection (5) of section 483.803, Florida
95 Statutes, is amended to read:

96 483.803 Definitions.—As used in this part, the term:

97 (5) "Clinical laboratory trainee" means any person having
98 qualifying education who is enrolled in a clinical laboratory
99 training program ~~approved pursuant to s. 483.811~~ and who is
100 seeking experience required to meet minimum qualifications for
101 licensing in this state. Trainees may perform procedures under
102 direct and responsible supervision of duly licensed clinical
103 laboratory personnel, but they may not report test results.

104 Section 6. Subsections (1), (3), (8), and (9) of section
105 483.807, Florida Statutes, are amended to read:

106 483.807 Fees; establishment; disposition.—

107 (1) The board shall establish~~7~~ by rule~~7~~ ~~shall establish~~
108 fees to be paid for application, ~~examination, reexamination,~~
109 licensing and renewal, ~~registration, laboratory training program~~
110 ~~application~~~~7~~ reinstatement, and recordmaking and recordkeeping.
111 The board may also establish~~7~~ by rule~~7~~ a delinquency fee. The
112 board shall establish fees that are adequate to ensure the
113 continued operation of the board and to fund the proportionate
114 expenses incurred by the department in carrying out its
115 licensure and other related responsibilities under this part.
116 Fees must ~~shall~~ be based on departmental estimates of the

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117 revenue required to implement this part and the provisions of
118 law with respect to the regulation of clinical laboratory
119 personnel.

120 ~~(3) The examination fee shall be in an amount which covers~~
121 ~~the costs of obtaining and administering the examination and~~
122 ~~shall be refunded if the applicant is found ineligible to sit~~
123 ~~for the examination. The combined fees for initial application~~
124 ~~and examination may not exceed \$200 plus the actual per~~
125 ~~applicant cost to the department for developing, administering,~~
126 ~~or procuring the licensure examination.~~

127 ~~(8) The initial application fee for registration of a~~
128 ~~trainee shall not exceed \$20.~~

129 ~~(9) The initial application and renewal fee for approval as~~
130 ~~a laboratory training program may not exceed \$300. The fee for~~
131 ~~late filing of a renewal application shall be \$50.~~

132 Section 7. This act shall take effect July 1, 2024.