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- Certain practitioners in an emergency situation
- 3 Licensure required; title used, restricted, and allowed.** Adds § 148F.03.
- Subd. 1. Unlicensed practice prohibited.** Requires that as of January 1, 2009 individuals performing medical laboratory test be licensed under this chapter.
- Subd. 2. Protected titles and restriction on use.** Lists the protected occupational titles that may only be used by individuals licensed under this chapter.
- Subd. 3. Persons licensed or certified in other states.** States that individuals licensed under this chapter and licensed or certified in other state, may designation themselves as such only if they clearly indicate the state of licensure or certification.
- 4 Scope of practice.** Adds § 148F.035. States that medical laboratory professionals perform laboratory tests and provide results upon request or upon referral from a physician. Lists the activities involved in the practice of medical laboratory science.
- 5 Duties of the commissioner.** Adds § 148F.04. Specifies the duties to be performed by the Commissioner of Health, with the advice of the advisory council:
- Administer licensure under this chapter;
 - Enforce standards for professional conduct;
 - Authorize and approve competency-based examinations for licensure of medical laboratory professionals; and
 - Maintain information on licensed medical laboratory professionals, including disciplinary actions taken
- 6 Medical Laboratory Science Professional Licensing Advisory Council.** Adds § 148F.05. Establishes a Medical Laboratory Science Professional Licensing Advisory Council.
- Subd. 1. Membership and qualifications of advisory council.** States that the membership of the council shall include 10 members appointed by the commissioner. Specifies that the membership must include six medical laboratory science professionals, two physicians who are pathologists, one physician who is not a laboratory director or a pathologist, and one member of the public.
- Subd. 2. Duties.** Specifies the duties of the advisory council, including the following:
- Advise the commissioner on licensure standards, enforcement, and issues related to taking disciplinary action;
 - Distribute information on medical laboratory science licensure standards;
 - Review applications for licensure upon request of the commissioner and make recommendations as to granting licensure; and
 - Perform other duties requested by the commissioner.

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Subd. 3. Organization. Specifies that section 15.059 shall govern the organization and administration of the advisory council.

7 Temporary requirements for licensure during transition period. Adds §148F.06.

Subd. 1. Experienced medical laboratory science professional transition. Permits qualified individuals to perform medical laboratory tests without a license until January 1, 2010 .

Subd. 2. Employed medical laboratory science professional transition. Provides requirements for licensure for employed medical laboratory science professionals who do not otherwise meet the qualifications for licensure under this chapter.

8 Standards for licensure. Adds § 148F.07. Sets out the requirements for licensure for each of the following professions and specialties: medical laboratory scientist (MLS); medical laboratory scientist, categorical; medical laboratory technician (MLT); medical laboratory specialist in molecular biology; medical laboratory specialist in cytogenetics; histocompatibility technologist; other specialist and categoricals; cytotechnologist; histotechnologist; histotechnician; and CLIA regulations. The requirements for each include education, experience and training, and a certification examination.

9 License by equivalency. Adds § 148F.08. Provides licensure requirements for qualified individuals licensed in other states.

Subd. 1. Licensure. States that the commissioner may issue a license to an applicant similarly licensed in another state provided the standards for licensure in the other state meet or exceed the licensures requirements provided in this chapter.

Subd. 2. Current credentials required. Requires that applicants applying under this section provide necessary evidence of credentials to the commissioner.

Subd. 3. Verification of credential required. Specifies requirements for verification letters that must be submitted to the commissioner as evidence of an applicant's unrestricted credentials.

10 Temporary license requirements. Adds § 148F.09. (a) Lists requirements for a temporary license, including eligibility to sit for a certification examination or awaiting exam results, or seeking to qualify for a certification examination by completing supervised medical laboratory experience.

(b) States that a temporary license is for a 12-month period and may be renewed for two additional periods at the discretion of the commissioner.

(c) States that a temporary license expires after 12 months or on the date the commissioner issues or denies a permanent license to the holder.

(d) States that a temporary license authorizes the holder to perform tests only in the area of practice for which the holder is seeking a permanent license.

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11 Licensure application procedures. Adds § 148F.10. Specifies the procedures for licensure application.

Subd. 1. Applications for licensure. States that applicant must submit an application and required fee to the commissioner. Requires the commissioner to issue the appropriate license to qualified individuals.

Subd. 2. Change of name, employment, and address. Provides requirements for applicants and licensees to change their name, employment, or address.

Subd. 3. Action on applications for licensure. (a) Permits the commissioner to request from applicants certain additional information.

(b) Requires the commissioner to determine whether an applicant meets the requirements for licensure.

(c) Requires the commissioner to notify the applicant of action taken on his or her application, including grounds for denial, if applicable.

(d) Provides a procedure for reconsideration of a denied license.

12 Licensure renewal. Adds § 148F.11.

Subd. 1. Renewal term. Requires that licenses be renewed every three years.

Subd. 2. Renewal applications. States the requirements for renewal, including a renewal application, a renewal fee, and completion of required continuing education.

13 Licensure following lapse of licensure status. Adds § 148F.12. Provides a procedure for licensure for an applicant whose licensure status has lapsed.

14 Continuing education requirements. Adds § 148F.13. States that the requirements for continuing education shall be determined by the certification agencies noted in this chapter.

15 Investigation process and grounds for disciplinary action. Adds § 148F.14. (a) Permits the commissioner to impose disciplinary action against certain applicants or licensees. Lists the actions that warrant disciplinary action under this chapter.

(b) Lists the actions that the commissioner may take against an applicant or licensee if grounds for disciplinary action exist, including, but not limited to, refusing to grant or renew a license, revoking or suspending a license, imposing limitations or conditions upon a license, or imposing a civil penalty of up to \$10,000 for each violation.

(c) Requires that an individual who is denied licensure or has his or her license revoked must cease providing services under the license and cease holding out that he or she is licensed to practice.

(d) States that a licensee whose license is suspended may request reinstatement of licensure,

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and must meet the requirements for renewal before having the license reinstated.

(e) Permits the commissioner to contract with a health professional services program for services to licensees under this chapter.

16 **Professional and ethical conduct.** Adds § 148F.015. Permits the commissioner to take disciplinary action if a licensee fails to maintain certain standards of the practice, including, but not limited to, maintaining confidentiality of patient information, safeguarding the dignity and privacy of patients, maintaining competence in judgment and performance of medical laboratory testing, and performing services in an accurate, precise, timely, and responsible manner.

17 **Reporting obligations.** Adds § 148F.16. Provides requirements for reporting to the commissioner regarding licensee conduct that may be grounds for disciplinary action.

Subd. 1. Permission to report. Permits individuals with knowledge of conduct constituting grounds for disciplinary action to report the violation to the commissioner.

Subd. 2. Institutions. Requires certain agencies, local units of government, hospitals, clinics, and other institutions to report to the commissioner any action taken by that institution to discipline a medical laboratory professional and any other conduct that may be grounds for disciplinary action by the commissioner.

Subd. 3. Professionals societies. Requires professional societies for medical laboratory science professionals to report to the commissioner any disciplinary action taken against a licensee.

Subd. 4. Licensed professionals. Requires licensed health professionals with personal knowledge to report to the commissioner conduct by a licensee that constitutes grounds for disciplinary action.

Subd. 5. Self-reporting. Requires medical laboratory science professionals to report to the commissioner any personal actions that are grounds for disciplinary action, and any disciplinary action taken against the licensee in another state.

Subd. 6. Deadlines; forms. States that conduct must be reported within 30 days after the reporter learns of the conduct, and permits the commissioner to provide certain forms for such reporting.

18 **Immunity.** Adds § 148F.17.

Subd. 1. Reporting. Provides that reporters, except for self-reporters, are immune from civil liability or criminal prosecution for reporting violations of this chapter to the commissioner.

Subd. 2. Investigation. Provides immunity for employees and consultants of the Department of Health and the advisory council members for their duties under this chapter.

19 **Fees.** Adds § 148F.18. Specifies the fees that may be imposed under this chapter.

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Subd. 1. Initial licensure fee. Provides a blank value for the initial licensure fee.

Subd. 2. Licensure renewal fee. Provides a blank value for the renewal fee.

Subd. 3. Late fee. Provides for a \$45 fee for late submission of a renewal application.

Subd. 4. Temporary licensure fee. Provides a blank value for the temporary licensure fee.

Subd. 5. Verification to other states. Provides for a \$25 fee for verification of licensure in other states.

Subd. 6. Nonrefundable fees. States that these fees are nonrefundable.

Subd. 7. Penalty fees. (a) States that the fee for practicing without a renewed license is the amount of the renewal fee for the first month plus the renewal fee for any part of subsequent months, up to 36 months.

(b) States that the fee for practicing without first being issued a license is the amount of the licenses application fee for the first month and for any part of subsequent months, up to 36 months.

(c) States that the fee for failing to submit a continuing education report by the due date is \$50.

(d) States that civil penalties and discipline incurred by a licensee for conduct in paragraphs (a) to (c) before January 1, 2010 will be recorded as nondisciplinary penalty fees. States that payment of a penalty fee for conduct in paragraphs (a) or (b) that occurs after January 1, 2010 and exceeds six months, does not preclude other disciplinary action.

20 **Advisory council appointments.** Requires the Commissioner of Health to complete appointments to the advisory council by August 1, 2008 , and to convene the first meeting of the council by September 1, 2008 .

21 **Appropriation.** Provides a blank appropriation to the Commissioner of Health for licensing functions and to create the advisory council.

22 **Effective date.** States that this act is effective July 1, 2008 .