

2022 Regular Session

HOUSE BILL NO. 1066 (Substitute for House Bill No. 711 by Representative Turner)

BY REPRESENTATIVE TURNER

HEALTH CARE/PROVIDERS: Provides relative to clinical laboratory personnel

1 AN ACT

2 To amend and reenact R.S. 37:1315(A)(11) and 1316, to enact R.S. 37:1326(A)(10), and to
3 repeal R.S. 37:1315(A)(7) and (B)(2), relative to recommendations on discipline by
4 the Clinical Laboratory Personnel Committee; to provide for receipt and
5 disbursement provisions; to provide for additional violations in accordance with the
6 Louisiana Clinical Laboratory Personnel Law; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:1315(A)(11) and 1316 are hereby amended and reenacted and
9 R.S. 37:1326(A)(10) is hereby enacted to read as follows:

10 §1315. Powers and duties of the committee

11 A. The committee shall:

12 * * *

13 (11) Recommend criteria for applicants who must complete employment
14 requirements as in-training licensees to practice clinical laboratory science under
15 supervision to be eligible for and successfully complete a nationally ~~recognized~~
16 accredited certification examination as approved by the board upon recommendation
17 of the committee.

18 * * *

19 §1316. Receipts and disbursements

1 All monies collected by the board pursuant to this Part shall be deposited in
 2 the treasury of the board ~~in the committee's account for the sole purpose of~~
 3 ~~implementation of the provisions of this Part.~~ All committee expenses shall be paid
 4 out of such funds only and shall not be charged to or be payable by the state. The
 5 financial records of the ~~committee~~ board shall be audited ~~annually~~ in accordance
 6 with state law by the legislative auditor or an independent auditor approved by the
 7 legislative auditor.

8 * * *

9 §1326. Causes for denial, suspension, probation, restriction, or revocation of a
 10 license or certificate or license or certificate renewal

11 A. The board, upon the recommendation of the committee, may deny,
 12 suspend, probate, restrict, or revoke the issuance or renewal of a license or
 13 certificate, after notice and an opportunity for a hearing pursuant to the
 14 Administrative Procedure Act, upon a preponderance of evidence showing any of the
 15 following when such activity is not authorized by the provisions of this Part:

16 * * *

17 (10) Unprofessional conduct, which may be further defined and promulgated
 18 by the board in accordance with the Administrative Procedure Act, includes but is
 19 not limited to the following:

20 (a) Sexual or disruptive misconduct which manifests as aberrant behavior,
 21 harassment, or both, through personal interaction with physicians, employees,
 22 coworkers, hospital personnel, healthcare professionals, patients, family members,
 23 or others, or which interferes with or could reasonably be expected to interfere with
 24 the work of clinical laboratory personnel.

25 (b) Failing to abide by any ethics code provisions established by the board
 26 for clinical laboratory personnel in accordance with the committee's recommendation
 27 and promulgated in accordance with the Administrative Procedure Act.

Present law requires that the financial records of the committee be audited annually.

Proposed law provides that the financial records of the board shall be audited in accordance with state law.

Proposed law adds unprofessional conduct to the list of violations provided for in present law and includes an illustrative listing of behaviors indicative of unprofessional conduct.

Present law provides that the Clinical Laboratory Personnel Committee shall have authority to examine and recommend to the board its approval, denial, suspension, probation, restriction, or revocation of a license or certificate of any clinical laboratory personnel after conducting a disciplinary hearing.

Proposed law repeals present law.

Present law states that the committee may recommend to the board that it employ an executive director and legal counsel as needed to carry out the provisions of present law.

Proposed law repeals present law.

(Amends R.S. 37:1315(A)(11) and 1316; Adds R.S. 37:1326(A)(10); Repeals R.S. 37:1315(A)(7) and (B)(2))