HLS 23RS-727 REENGROSSED

2023 Regular Session

1

HOUSE BILL NO. 459

BY REPRESENTATIVE TRAVIS JOHNSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

HEALTH CARE/PROVIDERS: Provides relative to phlebotomists

2	To amend and reenact R.S. 37:1313(D) and 1318(A) and to repeal R.S. 37:1315(A)(1),
3	relative to the certification of phlebotomists; to permit a phlebotomist to practice
4	without a certification in certain circumstances; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 37:1313(D) and 1318(A) are hereby amended and reenacted to read
7	as follows:
8	§1313. Exemptions to licensure
9	* * *
0	D. This Part shall not apply to any individual performing phlebotomy or
1	acting as a phlebotomist employed by or acting under the direction and supervision
12	of a physician licensed by the board, a clinic operated by a licensed health care
13	healthcare provider, a hospital, a nursing home, or other licensed health care facility
4	a licensed healthcare facility, or a testing location or laboratory licensed or certified
15	under the Clinical Laboratory Improvement Amendments of 1988.
16	* * *
17	§1318. Licensure and certification; examination; application
18	A. Effective January 1, 1995, no No individual shall act as, or perform the
19	duties of a clinical laboratory scientist-generalist, clinical laboratory
20	scientist-specialist, clinical laboratory scientist-technician, laboratory assistant, or

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 cytotechnologist, unless that individual possesses a current license issued pursuant 2 to this Part or is exempt from the provisions of this Part. Effective January 1, 1995, 3 no individual shall act as or perform the duties of a phlebotomist unless that 4 individual possesses a current certificate issued pursuant to this Part or is exempt 5 from the provisions of this Part. Each license or certificate shall be effective for the 6 calendar year beginning January first and ending December thirty-first in which it 7 is issued. 8 9

Section 2. R.S. 37:1315(A)(1) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 459 Reengrossed

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Travis Johnson

Abstract: Adds that a phlebotomist working for certain testing locations and laboratories is exempt from certification requirements.

Present law exempts a phlebotomist or an individual acting as a phlebotomist from certification requirements if he is employed by a licensed physician, clinic, hospital, nursing home, or licensed healthcare facility.

Proposed law retains present law and adds testing locations, or laboratories licensed or certified under the Clinical Laboratory Improvement Amendments of 1988 to the list of facilities where a phlebotomist is not required to be certified.

(Amends R.S. 37:1313(D) and 1318(A); Repeals R.S. 37:1315(A)(1))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Remove proposed law that would allow a phlebotomist to practice without a certification in certain circumstances.
- 2. Add that a phlebotomist is exempt from certification requirements if the phlebotomist works for a testing location or laboratory licensed or certified under the Clinical Laboratory Improvement Amendments of 1988.
- Make technical corrections. 3.