

2015 Regular Session

HOUSE BILL NO. 448

BY REPRESENTATIVE PUGH

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

PUBLIC SFTY/DEPARTMENT: Provides relative to professional organizations that certify persons to perform chemical analysis of a person's blood, urine, breath, or other bodily substances

1 AN ACT

2 To amend and reenact R.S. 32:663(B), relative to impaired driving; to provide relative to the
3 qualifications and competence of those issued permits for the purpose of chemical
4 testing for drivers suspected of operating a vehicle while impaired; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:663(B) is hereby amended and reenacted to read as follows:

8 §663. Approval of testing methods by Department of Public Safety and Corrections

9 * * *

10 B. The Department of Public Safety and Corrections may use an individual's
11 or a laboratory's certification by one or more of the following professional
12 organizations in its determination of the qualifications and competence of individuals
13 as required by Subsection A of this Section prior to the issuance of a permit. The
14 certification by the following professional organizations may be considered in
15 issuing such permits:

16 (1) College of American Pathologists (CAP).

17 (2) American Board of Forensic Toxicology (ABFT).

18 (3) Forensic Quality Services (FQS).

1 (4) American Society of Crime Lab ~~Lab~~ Laboratory Directors/Laboratory
2 Accreditation Board (ASCLD/LAB).

3 (5) American Association for Laboratory Accreditation (A2LA).

4 * * *

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 448 Original

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Abstract: Authorizes the Dept. of Public Safety and Corrections (DPS&C) to use an additional professional organization in its determination of the qualifications and competence of the individuals and labs that perform chemical analyses of a person's blood, urine, breath, or other bodily substance, to be used as evidence of intoxication.

Present law provides for chemical analyses of a person's blood, urine, breath, or other bodily substance to be used as evidence of intoxication.

Present law provides that persons performing such chemical analyses shall have a valid permit issued by the DPS&C and use methods approved by the department.

Present law authorizes DPS&C to use an individual's or a lab's certification by one or more of the following professional organizations in its determination of the qualifications and competence of the individuals and labs to whom the permits are issued:

- (1) College of American Pathologists.
- (2) American Board of Forensic Toxicology.
- (3) Forensic Quality Services.
- (4) American Society of Crime Lab Directors.

Proposed law adds the American Association for Laboratory Accreditation (A2LA) and changes the name of the American Society of Crime Lab Directors to the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB).

(Amends R.S. 32:663(B))