

2026 Regular Session

HOUSE BILL NO. 1216

BY REPRESENTATIVE EGAN

HEALTH SERVICES: Provides relative to the guidelines for clinical laboratory personnel

1 AN ACT

2 To amend and reenact R.S. 37:1312(1), (3), (4),(6) through (12), and (14) and

3 1313(A)(introductory paragraph) and (B)(2) through (6), 1314(C)(1)(a) through (d),

4 (e)(introductory paragraph) and (i), (f), and (g), 1315(A)(2), (3), (10), (11), (14), and

5 (15), 1318(A), (B)(1), (C), (D), and (E), 1320, 1321(A)(1) and (3), (B), (C), (D),

6 1322, 1323(A)(1) and (2), (B), (C), (D)(introductory paragraph), (E)(1), and

7 (F)(introductory paragraph), 1324, 1325, 1236(A)(introductory paragraph), (1),

8 (10)(introductory paragraph) and (a), (B), and (C), and 1327, to enact R.S.

9 37:1312(16) through (19), 1313(B)(7), 1321(A)(1)(d), and 1326(A)(10)(g), and to

10 repeal R.S. 37:1313(C)(2) through (G), 1315(A)(4), (6), (12), (13), (16) and (17),

11 1321(A)(2), 1323(A)(3), (D)(1) through (3), (E)(2) and (3), and (F)(1) and (2),

12 relative to the governing guidelines for clinical laboratory personnel; to provide for

13 definitions; to provide for exemptions for licensure; to provide for the Clinical

14 Laboratory Personnel Committee; to provide for the powers and duties of the

15 committee; to provide for the application for licensure and certification

16 examinations; to provide for licensure without examination; to provide for license

17 or certificate renewal and waiver of renewals; to provide for fees; to provide for

18 temporary permits and limited renewal; to provide for qualifications of clinical

19 laboratory personnel; to provide for licenses in training; to provide for the issuance

20 of licenses or certificates; to provide for causes for denial, suspension, probation,

1 restriction, or revocation of a license or permit or permit renewal; to provide for
2 penalties; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 37:1312(1), (3), (4),(6) through (12), and (14) and
5 1313(A)(introductory paragraph) and (B)(2) through (6), 1314(C)(1)(a) through (d),
6 (e)(introductory paragraph) and (i), (f), and (g), 1315(A)(2), (3), (10), (11), (14), and (15),
7 1318(A), (B)(1), (C), (D), and (E), 1320, 1321(A)(1) and (3), (B), (C), (D), 1322, 1323(A)(1)
8 and (2), (B), (C), (D)(introductory paragraph), (E)(1), and (F)(introductory paragraph), 1324,
9 1325, 1236(A)(introductory paragraph), (1), (10)(introductory paragraph) and (a), (B), and
10 (C), and 1327, are hereby amended and reenacted and R.S. 37:1312(16) through (19),
11 1313(B)(7), 1321(A)(1)(d), and 1326(A)(10)(g) are hereby enacted to read as follows:

12 §1312. Definitions

13 As used in this Part, the following terms have the following meanings, unless
14 the context requires otherwise:

15 (1) "Approved school" or "training program" means an accredited school
16 or training program approved by the committee and the board which offers
17 instruction in any area of the practice of clinical laboratory science ~~approved by the~~
18 ~~committee and the board.~~

19 * * *

20 (3) "Clinical ~~cytotechnology~~ cytology" means the microscopic study or
21 examination of body fluids, tissues, or cells desquamated from a body surface or
22 lesion for the practice of clinical laboratory science, including but not limited to
23 detecting malignancy and microbiologic changes and the measurement of hormonal
24 levels.

25 (4) "Clinical laboratory" means any building, place, or facility in which an
26 operation and procedure for the biological, microbiological, serological,
27 immunological, chemical, immunohematological, hematological, biophysical,
28 cytological, pathological, or other examinations of materials derived from the human
29 body is performed to provide information for the diagnosis, prevention, or treatment

1 of any disease or impairment of, or the assessment of the health of human beings ~~or~~
 2 ~~for forensic testing~~. These examinations include, but are not limited to, procedures
 3 to determine, measure, or otherwise describe the presence or absence of various
 4 substances or organisms in the human body. A facility which only collects or
 5 prepares specimens, or both, or only serves as a mailing service and does not perform
 6 on site testing is not a clinical laboratory. A laboratory that performs workplace drug
 7 testing shall be covered under this definition unless such testing is specifically
 8 excluded from coverage under the Clinical Laboratory Improvement Amendments
 9 of 1988 and regulations promulgated thereunder.

* * *

11 (6) "~~Clinical~~ Medical laboratory ~~scientist-generalist~~ scientist" or "~~CLS-G~~
 12 MLS" means an individual who performs clinical laboratory tests and procedures in
 13 all specialty areas of a clinical laboratory which require the exercise of independent
 14 judgment and responsibility, including but not limited to the performance of all
 15 laboratory tests as stated in the Clinical Laboratory Improvement Amendments of
 16 1988 and the rules and regulations promulgated pursuant thereto. The ~~clinical~~
 17 medical laboratory ~~scientist-generalist~~ scientist may perform the functions of all
 18 categories licensed in this Part with the exception of the ~~cytotechnologist~~ cytologist.

19 (7) "~~Clinical~~ Medical laboratory ~~scientist-specialist~~ scientist categorical" or
 20 "~~CLS-S~~ MLS" means an individual performing clinical laboratory science in one or
 21 more laboratory specialties and who performs functions limited ~~directly related~~ to
 22 such particular laboratory specialty or specialties as provided for in this Part or in
 23 rules and regulations adopted by the board as recommended by the committee. ~~The~~
 24 ~~clinical laboratory scientist-specialist~~ may perform the functions of the laboratory
 25 ~~assistant and the phlebotomist without additional licensure or certification.~~

26 (8) "~~Clinical~~ Medical laboratory ~~scientist-technician~~ technician" or "~~CLS-T~~
 27 MLT" means an individual who performs medical laboratory tests and procedures
 28 of high and moderate complexity as defined in 42 Code of Federal Regulations Part
 29 493 et seq., ~~which do not require the exercise of independent judgment or~~

1 (14) "Practice of clinical laboratory science" means the performance by any
2 individual, other than a physician licensed by the board, of laboratory testing,
3 instrument operation, analysis, or examination of human specimens.

4 * * *

5 (16) "Laboratory specialty" means any category or subcategory recognized
6 as a specialty by a certifying agency for the category of medical laboratory
7 scientist-categorical, including, but not limited to, the categories of hematology,
8 microbiology, chemistry, and immunoematology.

9 (17) "Trainee" means an individual who has not fulfilled the educational
10 requirements to take an approved nationally recognized certification examination or
11 who needs to obtain full-time comprehensive experience under supervision, or a
12 returning practitioner as provided for by rule. A trainee is not allowed to report
13 results.

14 (18) "Temporary permit" means a permit for a graduate of a National
15 Accrediting Agency for Clinical Laboratory Sciences accredited program who has
16 not successfully passed the national certification examination who is eligible for
17 employment and training and is allowed to report results.

18 (19) "Waived test" means routine technical procedures performed under or
19 eligible for a certificate of waiver under CLIA.

20 §1313. Exemptions to licensure or permit

21 A. This Part shall apply to clinical laboratory personnel performing the
22 practice of clinical laboratory science in a clinical laboratory in this state except
23 those practicing in exclusively and in the course and scope of their employment by
24 either:

25 * * *

26 B. This Part shall not apply to:

27 * * *

28 (2) ~~Any individual working under the direction and supervision of such a~~
29 ~~physician in an operating room, theater, emergency room, or intensive care unit~~ Any

1 respiratory therapist acting within the scope of performance of the practice of
2 respiratory therapy.

3 ~~(3) Any pulmonary function technician acting within the scope of~~
4 ~~performance of the practice of respiratory therapy~~ Any clinical perfusionist acting
5 within the scope of practice of perfusion in the support, treatment, measurement, or
6 supplementation of the cardiopulmonary and circulatory system of an individual
7 patient.

8 (4) ~~Any clinical perfusionist acting within the scope of practice of perfusion~~
9 ~~in the support, treatment, measurement, or supplementation of the cardiopulmonary~~
10 ~~and circulatory system of an individual patient~~ Any individual whose duties include
11 only the performance of routine technical procedures under or eligible for a
12 certificate of waiver in accordance with 42 Code of Federal Regulations Part 493 et
13 seq., whether performed in a physician's office laboratory, a hospital's clinical
14 laboratory or at the point of care, and which do not require the exercise of
15 independent judgment or responsibility.

16 (5) ~~Any individual licensed as a health care provider.~~ Any individual
17 performing phlebotomy or acting as a phlebotomist employed by or acting under the
18 direction and supervision of a physician licensed by the board or employed by one
19 of the following:

20 (a) A clinic operated by a licensed health care provider; or

21 (b) A hospital, a nursing home, or other licensed health care facility

22 (6) ~~Any other licensed allied health care professional~~ Any individual whose
23 duties may include demonstrating or instructing, or both, the use of any automated
24 or digital instrument, device, machine, or similar mechanical equipment and related
25 procedures utilized to assist in the practice of clinical laboratory science, provided
26 the results furnished by such equipment during such a demonstration or instruction
27 are not used in the diagnosis, evaluation, or treatment of human disease or disorder.

1 supervision to be eligible for and successfully complete a nationally recognized
2 certification examination as ~~approved by the board upon recommendation of the~~
3 ~~committee.~~

4 * * *

5 (14) Annually publish and make available a register of all individuals
6 licensed or ~~certified~~ permitted under this Part, including the name and license or
7 ~~certificate permit~~ number of each licensee or ~~certificate permit~~ holder.

8 (15) Have all other powers necessary and proper to the performance of its
9 duties.

10 * * *

11 §1318. Licensure and ~~certification~~ permitting; examination; application

12 A. No individual shall act as or perform the duties of a ~~clinical~~ medical
13 laboratory ~~scientist-generalist~~ scientist, ~~clinical~~ medical laboratory
14 ~~scientist-specialist~~ scientist categorical, ~~clinical~~ medical laboratory
15 ~~scientist-technician~~ technician, laboratory assistant, or ~~cytotechnologist~~ cytologist
16 unless that individual possesses a current license issued pursuant to this Part or is
17 exempt from the provisions of this Part. No individual shall act as or perform the
18 duties of a phlebotomist unless that individual possesses a current ~~certificate permit~~
19 issued pursuant to this Part or is exempt from the provisions of this Part. Each
20 license or certificate shall be effective for the calendar year beginning January first
21 and ending December thirty-first in which it is issued.

22 B.(1) Each applicant for a license or ~~certificate permit~~, except a laboratory
23 assistant, shall successfully complete an examination recommended ~~or administered~~
24 by the committee and approved by the board, ~~unless the applicant qualifies for~~
25 ~~licensure without examination as provided in this Part.~~ board.

26 * * *

27 C. Application for license or ~~certification~~ permit shall be on forms provided
28 ~~by the committee~~ and by means as prescribed by the board, shall be accompanied by

1 the prescribed fee, and shall be issued for the laboratory personnel licensure category
2 for which the applicant qualifies.

3 D. An applicant may be ~~licensed, or certified,~~ licensed in each laboratory
4 personnel licensure category for which ~~he~~ the applicant duly qualifies.

5 E. A ~~certificate or~~ license, except a temporary ~~license~~ permit, shall be valid
6 for a period of one year as specified in the rules, unless suspended or revoked.

7 * * *

8 §1320. License or ~~certificate~~ permit renewal; waiver of renewals while in the
9 military

10 A. Each license or ~~certificate~~ permit shall be renewed annually, before
11 January first of each year, by forwarding to the board a renewal application on a
12 form recommended by the committee and adopted by the board accompanied by a
13 renewal fee as provided in this Part. Each licensee or ~~certificate~~ permit holder, upon
14 making application for renewal of a license or ~~certificate~~ permit, shall submit
15 evidence of fulfillment of continuing education requirements satisfactory to the
16 board.

17 B. The committee may recommend and the board may continue licensure or
18 ~~certification~~ permitting without application for renewal for any clinical laboratory
19 personnel licensed or ~~certified~~ permitted ~~under~~ in accordance with this Part while the
20 individual is in the active military service of the United States or any of its allies,
21 upon notification by the licensee or ~~certificate~~ permit holder to the committee of that
22 fact.

23 §1321. Fees; license, ~~certification~~ permit, renewal, delinquent

24 A.(1) Except as provided in Paragraph (3) of this Subsection, the license fee
25 and the renewal fee, shall be as follows:

- 26 (a) ~~Clinical~~ Medical laboratory scientist (all categories) \$ ~~50.00~~ 60.00
- 27 (b) ~~Cytotechnologist~~ Cytologist \$ ~~50.00~~ 60.00

1 (c) Laboratory assistant \$ ~~25.00~~ 30.00

2 (d) Phlebotomist \$ 40.00

3 * * *

4 (3) (2) Fees collected by the board for licensure or ~~certification~~ permitting
5 and renewal to practice clinical laboratory science ~~for calendar year 1997 and each~~
6 ~~year thereafter~~ shall be fixed by the board upon the recommendation of the
7 committee by rules and regulations promulgated pursuant to the Administrative
8 Procedure Act, ~~not to exceed the amounts established in Paragraphs (1) and (2) of~~
9 ~~this Subsection.~~ Act.

10 B. A delinquent fee of not more than fifty dollars, in addition to the renewal
11 fee, shall be collected if a license or ~~certificate~~ permit is not renewed by February
12 first of each year.

13 C. The fee for issuing a duplicate license or ~~certificate~~ permit shall not
14 exceed ~~ten~~ twelve dollars.

15 D. An individual whose license or ~~certificate~~ permit has lapsed and who has
16 not been actively engaged in the practice of clinical laboratory science for ~~not more~~
17 less than seven five years may have his license or ~~certificate~~ permit reinstated upon
18 payment of the renewal fee and the delinquent fee and submission of evidence
19 satisfactory to the board that ~~he~~ the applicant has fulfilled continuing education
20 requirements as promulgated by the board upon recommendation of the committee.
21 §1322. Temporary ~~license~~ permit; ~~limited renewal~~; ~~fee~~ permit

22 A. An applicant for a license as a ~~clinical~~ medical laboratory
23 ~~scientist-generalist~~ scientist, ~~clinical~~ medical laboratory ~~scientist-specialist~~ scientist
24 categorical, ~~clinical~~ medical laboratory ~~scientist-technician~~, technician, or
25 ~~cytotechnologist~~ cytologist who has fulfilled the educational qualifications to take
26 the ~~licensing~~ certification examination may be granted a temporary ~~license~~ permit
27 to engage in the practice of clinical laboratory science in the category for which ~~he~~
28 the applicant is qualified ~~until six weeks after the date of the next licensing~~
29 ~~examination.~~ ~~In the event~~ If the applicant for a license as a ~~clinical~~ medical

1 laboratory ~~scientist-generalist~~ scientist, ~~clinical~~ medical laboratory
 2 ~~scientist-specialist~~ scientist categorical, ~~clinical~~ medical laboratory
 3 ~~scientist-technician; technician; cytotechnologist~~ cytologist does not successfully
 4 complete the ~~licensing~~ certification examination, that applicant's temporary ~~license~~
 5 ~~may, at the discretion of the committee, be renewed once until six weeks after the~~
 6 ~~subsequent licensing examination.~~ permit will expire six months after its issuance
 7 and may not be renewed.

8 B. The fee for a temporary ~~license~~ permit shall be the fee required for the
 9 ~~category in which the license is issued~~ corresponding license as governed by R.S.
 10 37:1321, ~~pro-rated for the portion of the year until the next license examination.~~

11 §1323. Qualifications of ~~clinical~~ medical laboratory ~~scientist-generalist~~ scientist;
 12 ~~clinical~~ medical laboratory ~~scientist-specialist~~ scientist categorical; ~~clinical~~
 13 medical laboratory ~~scientist-technician; technician; cytotechnologist;~~
 14 cytologist; laboratory assistant; and phlebotomist

15 A. Each applicant for licensure as a ~~clinical~~ medical laboratory
 16 ~~scientist-generalist~~ scientist shall meet one of the following requirements:

17 (1) Possess a baccalaureate degree from an accredited medical laboratory
 18 science program, college or university, ~~fulfill the educational requirements necessary~~
 19 ~~to enroll in a~~ successfully complete an approved medical laboratory science program,
 20 or its equivalent, in an approved school of medical ~~technology~~ laboratory science,
 21 ~~complete one year of full-time clinical laboratory experience, or its equivalent, in an~~
 22 ~~approved school of medical technology, and successfully complete~~ and pass a
 23 nationally recognized certification ~~examination;~~ examination as approved by the
 24 board upon recommendation by the committee. The required year of full-time
 25 clinical laboratory experience may be included in the curriculum for the
 26 baccalaureate degree or may be post-graduate.

27 (2) Complete the ~~educational, clinical, and employment~~ educational ~~experience~~
 28 ~~requirements, if any;~~ educational requirements necessary to be eligible, ~~for and~~
 29 ~~successfully complete~~ pass a nationally recognized certification examination, ~~all of~~

1 ~~which are approved by the board, and complete one year of full-time clinical~~
2 ~~experience upon recommendation by the committee.~~

3 * * *

4 B. Each applicant for licensure as a ~~clinical~~ medical laboratory
5 ~~scientist-specialist~~ scientist categorical shall possess a doctoral, master, or
6 baccalaureate degree from an accredited college or university with a major in ~~one of~~
7 ~~the chemical, physical,~~ chemical or biological sciences and shall complete the
8 educational, clinical, and employment experience ~~requirements, if any,~~ requirements
9 necessary to be eligible for and shall pass ~~successfully complete~~ a nationally
10 recognized certification examination in a laboratory specialty, all of which are
11 approved by the board ~~upon recommendation by the committee.~~

12 C. Each applicant for licensure as a ~~clinical~~ medical laboratory
13 ~~scientist-technician~~ technician shall meet one of the following requirements:

14 (1) Successfully fulfill the requirements of an accredited educational
15 program for an associate degree in ~~clinical~~ medical laboratory science and
16 ~~successfully complete~~ pass a nationally recognized certification examination
17 approved by the board ~~upon recommendation by the committee.~~

18 (2) Complete the ~~educational, clinical, and employment experience~~
19 ~~requirements, if any,~~ educational requirements necessary to be eligible for, and pass
20 ~~and successfully complete~~ a nationally recognized certification ~~examination, all of~~
21 ~~which are approved by the board upon recommendation by the committee~~
22 examination approved by the board, and complete one year of full time clinical
23 experience.

24 D. Each applicant for licensure as a ~~cytotechnologist~~ cytologist shall ~~meet~~
25 ~~one of the following requirements:~~ possess a baccalaureate degree from an accredited
26 college or university, fulfill the educational requirements necessary to enroll in a
27 school of cytology, complete one full year of full-time cytology experience or its
28 equivalent in an approved school of cytology, and successfully complete a nationally
29 recognized certification examination approved by the board. The required year of

1 full-time cytology experience may be included in the curriculum for the
2 baccalaureate degree or may be post-graduate.

3 * * *

4 E.(1) Each applicant for licensure as a laboratory assistant shall, at a
5 minimum, possess a high school diploma or its equivalent as approved by a state
6 department of education and document training as evidence of competency in basic
7 laboratory science or successfully complete a nationally recognized certification
8 examination recommended by the committee approved by the board. Prior to a
9 laboratory assistant performing a moderate complexity testing, ~~he shall document to~~
10 ~~his employer or laboratory director~~ evidence of competency and training appropriate
11 for that specific testing shall be documented by a medical doctor, medical laboratory
12 scientist, or cytologist. Any documentation which satisfies the corresponding
13 qualifications of the Clinical Laboratory Improvement Amendments of 1988 shall
14 satisfy the documentation requirement of this Section.

15 * * *

16 F. Each applicant for ~~certification as a phlebotomist~~ permit shall ~~meet one~~
17 ~~of the following requirements:~~ fulfill the training and competency requirements
18 necessary to be eligible for and successfully complete a certification examination.

19 * * *

20 §1324. License in training

21 A. The board upon the recommendation of the committee, ~~shall~~ may issue
22 a license in training to an individual who has not fulfilled the educational
23 requirements to take a ~~license~~ certification examination or needs to obtain full-time
24 comprehensive experience under supervision, or both, in any license category. A
25 license in training shall allow an individual to engage in the practice of clinical
26 laboratory science under supervision. The length of duration of each such license in
27 training, its renewal, if any, and the specific requirements for appropriate supervision
28 for each category of licensure shall be established by the board upon the
29 recommendation of the committee by the promulgation of rules and regulations. The

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 fees for issuing a license in training for each category of licensure established by this
2 Part shall be governed by the provisions of R.S. 37:1321.

3 B. An applicant who is certified by a national certification agency
4 recognized by the board, but who has not engaged in the practice of clinical
5 laboratory science within the last ~~ten~~ five years and has not maintained the
6 continuing education requirements as approved by the board, upon recommendation
7 of the committee, shall be granted a license in training to engage in the practice of
8 clinical laboratory science in the category for which he is otherwise qualified until
9 the supervised retraining period and the continuing education requirements as
10 approved by the board are completed.

11 §1325. Issuance of license or ~~certificate~~ permit

12 If an applicant meets the requirements of this Part, the board shall issue the
13 applicant a license or ~~certification~~ permit to practice clinical laboratory science
14 within the specific category of licensure or ~~certification~~ permit for which the
15 applicant qualifies as defined in this Part.

16 §1326. Causes for denial, suspension, probation, restriction, or revocation of a
17 license or ~~certification~~ permit or license or ~~certification~~ permit renewal

18 A. The board, upon the recommendation of the committee, may deny,
19 suspend, probate, restrict, or revoke the issuance or renewal of a license or
20 ~~certification~~ permit, after notice and an opportunity for a hearing pursuant to the
21 Administrative Procedure Act, upon a preponderance of evidence showing any of the
22 following when such activity is not authorized by the provisions of this Part:

23 (1) Performing, attempting to perform, or permitting anyone to perform any
24 clinical laboratory procedure or category of procedures not authorized by license or
25 ~~certification~~ permit.

26 * * *

27 (10) Unprofessional conduct, ~~which may be further defined and~~ as defined
28 in rules promulgated by the board in accordance with the Administrative Procedure
29 Act, ~~includes~~ including but is not limited to the following:

1 (a) Sexual ~~or disruptive~~ misconduct or disruptive behavior which manifests
2 as aberrant behavior, harassment, or both, through personal interaction with
3 physicians, employees, coworkers, hospital personnel, healthcare professionals,
4 patients, family members, or others, or which interferes with or could reasonably be
5 expected to interfere with the work of clinical laboratory personnel.

6 * * *

7 (g) Refusal to submit to an examination and inquiry by an examining
8 committee of physicians appointed by the board to inquire into the licensee's or
9 permittee's physical or mental fitness and ability to practice medical (clinical)
10 laboratory science with reasonable skill or safety to patients.

11 B. The ~~board, upon the recommendation of the committee,~~ board may
12 reinstate any license or ~~certificate~~ permit previously suspended, probated, restricted,
13 or revoked.

14 C. The board, upon the recommendation of the committee, or as a condition
15 of the reinstatement of any license or ~~certificate~~ permit suspended, probated,
16 restricted, or revoked, may require any licensee or ~~certificate~~ permit holder to pay
17 all costs of the committee or board proceedings, including any investigator, clerical,
18 or attorney's fees.

19 * * *

20 §1327. Penalties

21 Any individual who engages or attempts to engage in the practice of clinical
22 laboratory science who has not been licensed or certified in accordance with this Part
23 shall be guilty of a misdemeanor and subjected to the following penalties for
24 violation of any provision of this Part:

25 (1) For the first offense, the fine shall not be more than ~~five~~ six hundred
26 dollars.

27 (2) For the second offense, the fine shall not be more than one thousand two
28 hundred dollars.

1 (3) For the third and each subsequent offense, the fine shall not be more than
2 two thousand four hundred dollars for each offense.

3 Section 2. R.S. 37:1313(C)(2) through (G), 1315(A)(4), (6), (12), (13), (16) and (17),
4 1321(A)(2), 1323(A)(3), (D)(1) through (3), (E)(2) and (3), and (F)(1) and (2) are hereby
5 repealed in their entirety.

6 Section 3. Any entity subject to accreditation by the provisions of this Act shall
7 have until August 1, 2028, to obtain accreditation in compliance with the provisions of this
8 Act. An entity that fails to obtain accreditation by August 1, 2028, shall be subject to
9 adverse action or penalties as provided for in law.

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 1216 Engrossed

2026 Regular Session

Egan

Abstract: Provides relative to the governing guidelines for Louisiana Clinical Laboratory Personnel.

Present law provides for definitions relevant to Louisiana Clinical Laboratory Personnel.

Proposed law adds "training program" that offers instruction in the practice of clinical laboratory science.

Proposed law changes "cytotechnology" to "cytology" throughout present law and proposed law.

Proposed law changes "Clinical laboratory scientist-generalist" and "CLS-G" to "Medical laboratory scientist" and "MLS" throughout present law and proposed law.

Proposed law changes "Clinical laboratory scientist-specialist" or "CLSS" to "Medical laboratory scientist-categorical" or "MLS-C" throughout present law and proposed law.

Proposed law changes "Clinical laboratory scientist-technician" or "CLS-T" to "Medical laboratory technician" and "MLT" throughout present law and proposed law.

Proposed law permits an MLT to perform the functions of all licensed and certified clinical laboratory personnel except for cytologists.

Proposed law changes "Clinical Laboratory Personnel Committee" to "Clinical Laboratory Personnel Advisory Committee".

Proposed law allows laboratory assistants to perform waived and moderate complexity tests and procedures, but prohibits high complexity tests.

Proposed law provides that the certification examination must be administered by an agency that is nationally accredited or an examination approved by the board.

Proposed law adds instrument operation to the definition of "practice of clinical laboratory science".

Proposed law adds definitions for "laboratory specialty", "trainee", "temporary permit", and "waived test".

Present law provides for exemptions to licensure for clinical laboratory personnel practicing laboratory science in a clinical laboratory.

Proposed law provides for present law and adds exemptions for permits and those practicing exclusively in the course and scope of their employment.

Proposed law removes the provision that permits individuals working under the direct supervision of a physician in certain settings and allows respiratory therapists to act within the scope of respiratory therapy.

Present law permits pulmonary technicians to act within the scope of practice of respiratory therapy.

Proposed law removes present law and includes perfusionists acting within the scope of perfusion support, treatment, measurement, or supplementation of the cardiopulmonary and circulatory system of an individual patient.

Present law provides for perfusionists acting within the scope of perfusion practice.

Proposed law removes present law and includes individuals whose duties include the performance of technical procedures in accordance with 42 CFR 493 et seq.

Present law permits any individual licensed as a healthcare provider to operate as a clinical laboratory personnel.

Proposed law removes any individual licensed as a healthcare provider to include any individual performing phlebotomy or acting as a phlebotomist who is employed by or under the direct supervision of a licensed physician.

Present law permits any other licensed allied health care professional.

Proposed law removes any other licensed allied health care professional to include any individual whose duties may include demonstrating or instructing, or both, the use of any automated or digital instrument, device, machine, or similar mechanical equipment and related procedures utilized to assist in the practice of clinical laboratory science.

Proposed law provides for individuals performing forensic testing and examinations.

Proposed law provides for individuals who are exempt from the licensure requirement under present law, but these individuals meet the qualifications for licensure under proposed law.

Present law provides for the Clinical Laboratory Personnel Committee membership, qualifications, appointment, and term limits.

Proposed law makes technical changes.

Present law provides for the power and duties of the committee.

Proposed law allows the board to issue licenses or permits and renew licenses or permits.

Proposed law permits recommendations to the board for promulgating the minimum standards for accreditation of educational standards.

Present law provides for licensing and renewal fees.

Proposed law changes the fee amounts and includes phlebotomists in the fee schedule.

Present law provides for temporary permits.

Proposed law provides for technical changes, establishes a six-month expiration for temporary permits, and prohibits renewals after the six-month expiration.

Present law provides for qualifications of clinical laboratory scientist-generalist, clinical laboratory scientist-specialist, clinical laboratory scientist-technician, cytotechnologist, laboratory assistant, and phlebotomist.

Proposed law changes the names of some of the listed professions.

Proposed law provides for applicants to possess a baccalaureate degree from an accredited medical laboratory science program, successfully complete an approved medical laboratory science program or its equivalent, and to have one year of full-time clinical experience.

Present law provides reasons for denials, suspension, probation, restriction, or revocation of licenses or permits.

Proposed law specifies disruptive behavior and refusal to submit to an examination by committee physicians of a licensee's physical or mental fitness and ability as grounds for license or permit denial, suspension, probation, restriction, or revocation.

Present law provides for penalties.

Proposed law increases fine amounts for first offenses from \$500 to \$600, for second offenses from \$1,000 to \$1,200, and for third offenses from \$2,000 to \$2,400 for each offense.

Proposed law provides that entities subject to accreditation under proposed law have until August 1, 2028, to be in compliance with accreditation standards and that entities that fail to do so shall be subject to adverse actions.

(Amends R.S. 37:1312(1), (3), (4),(6)-(12), and (14) and 1313(A)(intro. para.) and (B)(2)-(6), 1314(C)(1)(a)-(d), (e)(intro. para.) and (i), (f), and (g), 1315(A)(2), (3), (10), (11), (14), and (15), 1318(A), (B)(1), (C), (D), and (E), 1320, 1321(A)(1) and (3), (B), (C), (D), 1322, 1323(A)(1) and (2), (B), (C), (D)(intro. para.), (E)(1), and (F)(intro. para.), 1324, 1325, 1236(A)(intro. para.), (1), (10)(intro. para.) and (a), (B), and (C), and 1327, Adds R.S. 37:1312(16)-(19), 1313(B)(7), 1321(A)(1)(d), and 1326(A)(10)(g), and Repeals R.S. 37:1313(C)(2)-(G), 1315(A)(4), (6), (12), (13), (16) and (17); 1321(A)(2), 1323(A)(3), (D)(1)-(3), (E)(2) and (3), and (F)(1) and (2))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Provide that entities subject to accreditation under proposed law have until August 1, 2028, to be in compliance with accreditation standards and that entities that fail to do so shall be subject to adverse actions.
2. Make technical changes.