

1 SB59
2 196732-2
3 By Senator Coleman-Madison
4 RFD: Healthcare
5 First Read: 05-MAR-19

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to public health; to amend Sections
12 22-11A-4 and 22-11A-40, Code of Alabama 1975, to require
13 laboratories to submit isolates or additional clinical
14 materials to the Department of Public Health in certain cases
15 of suspected disease; and to add Section 22-11A-42 to the Code
16 of Alabama 1975, to authorize the State Board of Health to set
17 a reasonable schedule of fees for services rendered by the
18 Bureau of Clinical Laboratories.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Sections 22-11A-4 and 22-11A-40, Code of
21 Alabama 1975, are amended to read as follows:

22 "§22-11A-4.

23 "(a) For purposes of this article, the following
24 terms have the following meanings:

25 "(1) CLINICAL MATERIALS. Means either of the
26 following:

1 "a. A clinical isolate that contains or that may
2 contain an infectious agent of public health importance.

3 "b. Material that contains or that may contain an
4 infectious agent of public health importance, if an isolate is
5 not available, in the following order of preference:

6 "1. A patient specimen.

7 "2. Nucleic acid.

8 "3. Other laboratory material.

9 (2) PROVIDER OF MEDICAL SERVICES. A physician,
10 hospital, laboratory, or other medical facility or medical
11 professional that renders medical care relating to treatment
12 of possible or confirmed cases of public health importance.

13 ~~"(b) Any physician, hospital, laboratory, or other A~~
14 provider of medical services ~~having~~ that is currently
15 rendering or that has rendered treatment, care, diagnostic
16 services, or laboratory services to any person suspected of
17 having a notifiable disease or health condition shall ~~make his~~
18 or its records on that individual readily available ~~provide~~
19 all records relating to its performance of treatment, care,
20 diagnostic services, or laboratory services for that person to
21 the State Health Officer or his or her designee upon request.

22 "(c) Any laboratory at which testing of clinical
23 materials results in a suspected or positive finding of public
24 health importance shall forward those clinical materials to
25 the Bureau of Clinical Laboratories of the Department of
26 Public Health.

1 "(d) The Department of Public Health shall adopt
2 rules necessary for the implementation and enforcement of this
3 section.

4 "§22-11A-40.

5 "(a) All laboratory tests Prior to the
6 administration of any laboratory test for acquired immune
7 deficiency syndrome (AIDS) or ~~like test~~ for viruses that lead
8 to the development of AIDS or any other notifiable disease
9 that may be designated by the State Board of Health, ~~shall be~~
10 ~~a test approved by the board. When approving such test the~~
11 ~~Board of Health~~ board shall ~~develop~~ administer a proficiency
12 testing program ~~necessary~~ to ascertain the qualifications and
13 competency of the personnel conducting the test.

14 ~~"The State Board of Health is authorized to charge a~~
15 ~~reasonable fee to offset the cost of the proficiency testing~~
16 ~~program. All fees collected shall be deposited to the credit~~
17 ~~of the State Board of Health for the purpose of carrying out~~
18 ~~the provision of Chapter 11A of Title 22.~~

19 "(b) Any laboratory or laboratory personnel thereof
20 who reports the test results of any ~~of the~~ diseases referenced
21 in this section, when performed by any methods or procedures
22 not approved by the Board of Health board, shall be guilty of
23 a Class C misdemeanor."

24 Section 2. Section 22-11A-42 is added to the Code of
25 Alabama 1975, to read as follows:

26 The State Board of Health may set a reasonable
27 schedule of fees for services rendered by the Bureau of

1 Clinical Laboratories of the State Board of Health. All fees
2 collected shall be deposited to the credit of the State Board
3 of Health for the purpose of carrying out this chapter.

4 Section 3. This act shall become effective on the
5 first day of the third month following its passage and
6 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate committee on Healthcare.....	05-MAR-19
Read for the second time and placed on the calen- dar 1 amendment.....	20-MAR-19
Read for the third time and passed as amended	21-MAR-19

Patrick Harris,
Secretary.