

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

1 SB59

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4 ENROLLED, An Act,

5 Relating to public health; to amend Sections
6 22-11A-4 and 22-11A-40, Code of Alabama 1975, to require
7 laboratories to submit isolates or additional clinical
8 materials to the Department of Public Health in certain cases
9 of suspected disease; and to add Section 22-11A-42 to the Code
10 of Alabama 1975, to authorize the State Board of Health to set
11 a reasonable schedule of fees for services rendered by the
12 Bureau of Clinical Laboratories.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 "§22-11A-4.

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

19 "(1) CLINICAL MATERIALS. Means either of the
20 following:

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

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

1 "1. A patient specimen.

2 "2. Nucleic acid.

3 "3. Other laboratory material.

4 (2) PROVIDER OF MEDICAL SERVICES. A physician,
5 hospital, laboratory, or other medical facility or medical
6 professional that renders medical care relating to treatment
7 of possible or confirmed cases of public health importance.

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

17 "(c) Any laboratory at which testing of clinical
18 materials results in a suspected or positive finding of public
19 health importance shall forward those clinical materials to
20 the Bureau of Clinical Laboratories of the Department of
21 Public Health.

22 "(d) The Department of Public Health shall adopt
23 rules necessary for the implementation and enforcement of this
24 section.

25 "§22-11A-40.

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

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

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

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

22 The State Board of Health may set a reasonable
23 schedule of fees for services rendered by the Bureau of
24 Clinical Laboratories of the State Board of Health. All fees

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

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB59

Senate 21-MAR-19

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Passed: 23-MAY-19

By: Senator Coleman-Madison