

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

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8 SYNOPSIS: Under existing law, medical professionals
9 are required to submit materials relating to
10 testing for certain diseases to the Department of
11 Public Health and the State Health Officer under
12 certain circumstances.

13 This bill would require laboratories to
14 submit isolates or additional clinical materials to
15 the Department of Public Health in certain cases of
16 suspected disease and would also allow the State
17 Board of Health to establish a reasonable schedule
18 of fees to be charged for services rendered by the
19 Bureau of Clinical Laboratories.

20
21 A BILL
22 TO BE ENTITLED
23 AN ACT

24
25 Relating to public health; to amend Sections
26 22-11A-4 and 22-11A-40, Code of Alabama 1975, to require
27 laboratories to submit isolates or additional clinical

1 materials to the Department of Public Health in certain cases
2 of suspected disease; and to add Section 22-11A-42 to the Code
3 of Alabama 1975, to authorize the State Board of Health to set
4 a reasonable schedule of fees for services rendered by the
5 Bureau of Clinical Laboratories.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 "§22-11A-4.

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

12 "(1) CLINICAL MATERIALS. Means either of the
13 following:

14 "a. A clinical isolate that contains or that may
15 contain the infectious agent for a notifiable disease or
16 health condition.

17 "b. Material that contains or that may contain the
18 infectious agent for a notifiable disease or health condition,
19 if an isolate is not available, in the following order of
20 preference:

21 "1. A patient specimen.

22 "2. Nucleic acid.

23 "3. Other laboratory material.

24 "(2) PROVIDER OF MEDICAL SERVICES. A physician,
25 hospital, laboratory, or other medical facility or medical
26 professional that renders medical care relating to treatment

1 of possible or confirmed notifiable diseases or health
2 conditions.

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

12 "(c) Any laboratory at which testing of clinical
13 materials results in a finding of a notifiable disease or
14 health condition shall forward those clinical materials to the
15 Bureau of Clinical Laboratories of the Department of Public
16 Health upon positive identification of the notifiable disease
17 or health condition.

18 "(d) The Department of Public Health shall adopt
19 rules necessary for the implementation and enforcement of this
20 section.

21 "§22-11A-40.

22 "(a) All laboratory tests Prior to the
23 administration of any laboratory test for acquired immune
24 deficiency syndrome (AIDS) or like test for viruses that lead
25 to the development of AIDS or any other notifiable disease
26 that may be designated by the State Board of Health, ~~shall be~~
27 a test approved by the board. When approving such test the

1 ~~Board of Health~~ board shall ~~develop~~ administer a proficiency
2 testing program ~~necessary~~ to ascertain the qualifications and
3 competency of the personnel conducting the test.

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

9 ~~"(b) Any laboratory or~~ laboratory personnel ~~thereof~~
10 who reports the test results of any ~~of the~~ diseases referenced
11 in this section, l when performed by any methods or procedures
12 not approved by the ~~Board of Health~~ board, shall be guilty of
13 a Class C misdemeanor."

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

16 The State Board of Health may set a reasonable
17 schedule of fees for services rendered by the Bureau of
18 Clinical Laboratories of the State Board of Health. All fees
19 collected shall be deposited to the credit of the State Board
20 of Health for the purpose of carrying out this chapter.

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