

AMENDED IN SENATE MAY 28, 2015

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 599

Introduced by Assembly Member Bonilla

February 24, 2015

An act to amend Section 1270 of the Business and Professions Code, relating to clinical laboratories.

LEGISLATIVE COUNSEL'S DIGEST

AB 599, as amended, Bonilla. Clinical laboratories: cytotechnologists.

Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel, including cytotechnologists, by the State Department of Public Health, subject to certain exceptions. Under existing law, only a licensed cytotechnologist may perform examinations of cytological slides.

This bill would additionally authorize a licensed cytotechnologist to perform all tests and procedures pertaining to cytology, including, but not limited to, microscopic and nonmicroscopic methodologies and tests and procedures that utilize molecular or genetic methodologies that are performed on cytologic specimens related to infectious disease or cancer—~~diagnosis~~. *diagnosis, under the overall operation and administration of a laboratory director.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1270 of the Business and Professions
2 Code is amended to read:

3 1270. (a) On and after January 1, 1991, no person may perform
4 examinations of cytological slides without first obtaining a license
5 as a cytotechnologist from the department, except that those
6 persons employed by licensed clinical laboratories as
7 cytotechnologists and certified as cytotechnologists by the
8 department on or before January 1, 1991, shall be licensed by the
9 department on or before January 1, 1993. Cytotechnologist licenses
10 shall be issued and renewed by the department for periods of two
11 years. This subdivision shall not apply to persons holding a valid,
12 unrevoked, unsuspended physician's and surgeon's certificate
13 issued pursuant to Chapter 5 (commencing with Section 2000).

14 (b) The issuance of a cytotechnologist license shall be contingent
15 upon the applicant's satisfactory performance, as defined in
16 regulation, in a competency testing program for cytotechnologists
17 which may be administered by the department or by a competency
18 testing service or program approved by the department. The
19 competency testing program established pursuant to this section
20 shall be periodically reviewed and revised by the department, if
21 necessary, to ensure that the program is consistent with federal
22 competency testing requirements issued under the federal Clinical
23 Laboratory Improvement Amendments of 1988 (Public Law
24 100-578; 42 U.S.C. Sec. 263a, Section 353 of the Public Health
25 Service Act).

26 (c) Notwithstanding subdivision (b), the department may issue
27 a temporary cytotechnologist license to a person who satisfies the
28 requirements for admission to the examination unless the person
29 has failed a previous examination for a cytotechnologist license.
30 A temporary license issued by the department pursuant to this
31 subdivision shall be valid for a period of time not exceeding 90
32 days after the date the department has adopted a competency testing
33 program pursuant to subdivision (b).

34 (d) The department may issue a cytotechnologist license without
35 examination to an applicant who satisfies one of the following:

36 (1) Passage of an examination of a national accrediting board
37 whose requirements are equal to or greater than those required by

1 this chapter or by regulations adopted pursuant to this chapter, as
2 determined by the department.

3 (2) Passage of an examination of another state in which the
4 requirements imposed by laws and regulations regarding the
5 examination are equal to or greater than those required by this
6 chapter or by regulations adopted pursuant to this chapter, as
7 determined by the department.

8 This subdivision shall not apply to a person who has passed an
9 examination of a national accrediting board or another state prior
10 to that board's or state's establishment of requirements which are
11 equal to or greater than those required by this chapter or by
12 regulations adopted pursuant to this chapter, as determined by the
13 department. The department may, however, make exceptions to
14 the requirements of this subdivision in cases where the department
15 determines that the applicant is otherwise qualified for licensure.

16 (e) The department shall not issue any temporary
17 cytotechnologist's license pursuant to subdivision (c) or any
18 cytotechnologist's license without examination pursuant to
19 subdivision (d) after the department adopts a competency testing
20 program pursuant to subdivision (b).

21 (f) A licensed cytotechnologist may perform all tests and
22 procedures pertaining to cytology, including, but not limited to,
23 microscopic and nonmicroscopic methodologies and tests and
24 procedures that utilize molecular or genetic methodologies, that
25 are performed on cytologic specimens related to infectious disease
26 or cancer ~~diagnosis~~: *diagnosis, under the overall operation and*
27 *administration of a laboratory director.*

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