

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 757**

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**Introduced by Assembly Member Gomez**

February 25, 2015

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~~An act relating to healing arts.~~ *An act to add Section 1246.7 to the Business and Professions Code, relating to healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 757, as amended, Gomez. Healing arts: clinical laboratories.

*Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health, with specified exceptions. A violation of those provisions is a crime. Existing law authorizes a person who is licensed under those provisions to perform certain laboratory tests.*

*This bill would authorize a medical assistant, as defined, who meets specified criteria to perform a total protein refractometer test analysis in a licensed plasma collection facility in this state. Because a violation of those provisions would be a crime, the bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the~~

State Department of Public Health, with specified exceptions. Existing law authorizes a person who is licensed under those provisions to perform certain laboratory tests.

This bill would declare the intent of the Legislature to enact legislation to identify who, and under which circumstances he or she, may perform a total protein refractometer test analysis in a licensed plasma collection facility in this state.

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

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

1 SECTION 1. It is the intent of the Legislature to enact  
2 legislation to identify who, and under which circumstances he or  
3 she, may perform a total protein refractometer test analysis in a  
4 licensed plasma collection facility in this state.

5 SEC. 2. Section 1246.7 is added to the Business and Professions  
6 Code, to read:

7 1246.7. A medical assistant, as defined in Section 2069, may  
8 perform a total protein refractometer test analysis in a licensed  
9 plasma collection facility in this state if all of the following  
10 conditions are met:

11 (a) He or she has earned a high school diploma or equivalent,  
12 as determined by HCFA pursuant to CLIA.

13 (b) He or she performs the total protein refractometer test  
14 analysis in a licensed plasma collection facility.

15 (c) He or she has been instructed by a physician and surgeon  
16 licensed in this state or by a licensed clinical laboratory director  
17 who is in charge of the licensed plasma collection facility in the  
18 proper procedure to be employed when performing a total protein  
19 refractometer test analysis.

20 (d) He or she performs the total protein refractometer test  
21 analysis under the direction and supervision of the physician and  
22 surgeon or licensed clinical laboratory director.

23 (e) He or she submits the analysis for interpretation to the  
24 physician and surgeon or licensed clinical laboratory director  
25 under whose direction and supervision he or she performed the  
26 analysis.

27 SEC. 3. No reimbursement is required by this act pursuant to  
28 Section 6 of Article XIII B of the California Constitution because

1 *the only costs that may be incurred by a local agency or school*  
2 *district will be incurred because this act creates a new crime or*  
3 *infraction, eliminates a crime or infraction, or changes the penalty*  
4 *for a crime or infraction, within the meaning of Section 17556 of*  
5 *the Government Code, or changes the definition of a crime within*  
6 *the meaning of Section 6 of Article XIII B of the California*  
7 *Constitution.*

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