

HOUSE No. 4086

By Ms. Spiliotis of Peabody, petition of Joyce A. Spiliotis and others for legislation to establish a board for the registration of phlebotomists. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

Joyce A. Spiliotis Susan C. Fargo
Christine E. Canavan

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING A BOARD OF REGISTRATION OF PHLEBOTOMISTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 13 of the General Laws is hereby amended
- 2 by adding the following 5 sections:—
- 3 Section 98. No person shall hold himself out to be or as being
- 4 able to practice phlebotomy in the Commonwealth unless he is
- 5 licensed in accordance with section 100. No person who is not so
- 6 licensed may use the letters LP, PLP, or LCP or any other words or
- 7 abbreviations indicating he is a licensed phlebotomist or provision-
- 8 ally licensed as a phlebotomist.
- 9 Section 99. The following laboratory professionals are exempt
- 10 from licensure:—
- 11 Certified clinical laboratory scientists (CLS), medical technolo-
- 12 gists (MT) and medical laboratory technicians (MLT).
- 13 Section 100. There shall be a board of registration of phle-
- 14 botomists consisting of 5 members to be appointed by the governor,
- 15 who shall be residents of the commonwealth 3 of whom shall be
- 16 phlebotomists and 1 who shall be a representative of the public sub-
- 17 ject to section 9B. Upon the expiration of the term of any member of
- 18 the board, his successor shall be appointed in a like manner for a
- 19 term of 3 years.

20 Section 101. The board shall hold at least 2 regular meetings in
21 each year for the purpose of examining applicants for registration
22 and the transaction of other business. At its first regular meeting in
23 each year the board shall choose from their own members a
24 chairman and a secretary.

25 Section 102. All fees received by the secretary of the board and
26 not returned to the applicant shall be paid monthly to the state trea-
27 surer. Each member of the board shall receive from the common-
28 wealth \$15 for each day or portion thereof spent in the performance
29 of his official duties. Each member shall be paid the necessary trav-
30 eling and other expenses actually incurred by him in the perfor-
31 mance of said duties.

1 SECTION 2. Chapter 112 of the General Laws is hereby amended
2 by adding the following 5 sections:—

3 Section 227. For the purposes of this section and Sections 228 to
4 230, inclusive, the following words shall, unless the context requires
5 otherwise, have the following meanings:—

6 “Approved national certification agency” one of the nationally
7 recognized agencies that certify phlebotomists by examination
8 exclusively:—

9 American Society for Clinical Pathology, American Medical
10 Technologists, National Credentialing Agency, or American Certifi-
11 cation Agency.

12 “Board” the board of registration of phlebotomy established by
13 section 100 of chapter 13.

14 “Phlebotomist” a person responsible for collecting blood samples
15 from patients according to doctor’s instructions, separating blood
16 into different test tubes so it can be used in different tests, accurately
17 labeling the tubes, and insuring the right samples are sent to the lab-
18 oratory.

19 “Phlebotomy” the incision into a vein or artery for the purpose of
20 drawing blood.

21 Section 228. An applicant to be licensed as a phlebotomist shall
22 file with said board an application upon a form to be prescribed and
23 furnished by the board. He shall include in such application under
24 oath his qualification as a phlebotomist. Said application shall be
25 accompanied by evidence of current certification granted by an
26 approved national certification agency and a registration fee to be

27 determined by the commissioner of administration under the provi-
28 sion of Section 3B of Chapter 7. If the board deems the educational
29 qualifications of an applicant are satisfactory, the board shall issue to
30 him a license. Said license shall expire at the end of the second cal-
31 endar year and may be renewed on or before March 15 of the
32 following year; provided however, that a person seeking such
33 renewal shall provide evidence of such continuing education as the
34 board may require by regulation. Maintenance of the certification
35 granted by an approved national certification agency is required. The
36 fee for renewal or licensure shall be determined under the aforemen-
37 tioned provision, and shall be acknowledged by sending the person
38 certified a notice of renewal.

39 Section 229. The board shall perform other functions and duties
40 as may be necessary to carry out the provision of this chapter.

41 Section 230. The board shall keep a record of its proceedings and
42 a roster of all persons licensed or provisionally licensed by it under
43 Sections 228 to 230, inclusive. The roster shall include the licensee
44 name, last known business and residential address, date of licensing
45 and license number.

46 Section 231. The board may by rule establish the minimum edu-
47 cational and experience qualifications which the applicant must pos-
48 sess before being allowed to take the examination by an approved
49 national certification agency for licensing; and may in like manner
50 provide for the issuance of provisional license pending an examina-
51 tion to applicants who appear to be qualified. The board shall pro-
52 vide for the issuance of license without examination to persons
53 holding certification as a phlebotomist granted by one or more of the
54 approved national certification agencies.