

Division of Public and Behavioral Health Medical Laboratories Advisory Committee

AGENDA

DATE: June 12, 2023

TIME: 12:00 P.M.

Meeting Locations:

- This is a virtual meeting and there is no physical location to attend.
- [Click here to join the meeting](#)
 - Meeting ID: 228 184 787 301
 - Passcode: YqA8RN
- 775-321-6111
 - Conference ID 318 689 084#

Agenda items may be taken out of order, combined for consideration, and or removed from the agenda at the chairperson's discretion.

1.) Call to Order and Roll call – Chair

Members:

Christie L. Elliott, M.D.

David P. Marmaduke, M.D.

Alexander Stojanoff, Ph.D.

Taylor Noyes, BS, MT

Iain L. O. Buxton, Ph.D.

Jill Brown, MT

Kennedy Ukadike, M.D, M.S., DABIM

Ihsan Azzam, M.D., Ph.D. Chief Medical Officer State of Nevada

Staff:

Bradley Waples, Acting Manager Medical Laboratory Services

Keri King, Administrative Assistant III

Nathan Orme, Education and Information officer

2.) Public Comment

- Action may not be taken on any matter brought up under this agenda item until scheduled on an agenda for a later meeting. Public testimony under this agenda item may be presented in person, online, by phone or written comment. Due to time considerations, each individual offering public comment will be limited to not more than three minutes.

3.) Review and possible approval of meeting minutes from December 5, 2022. – For Possible Action.

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- 4.) Introduction of new member Kennedy Ukadike, M.D., M.S., DABIM . Licensed Physician MLAC position – **Discussion Item.**
 - 5.) Bills that will have an impact on the Nevada medical laboratory statutes and regulations. – **Discussion Item (Bradley Waples).**

The bills can be seen in their entirety at

<https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bills/List>

The following are the bills that will affect medical laboratory statutes and regulations.

AB 239 (approved by Assembly and Senate): Stated in section 13, this bill was introduced by the legislative Sunset Committee who were reviewing Nevada statutes that could be sunset (removed) due to the statute seeming not to be active or had no funding to support it. The statutes being reviewed by the Sunset Committee relating to Medical Laboratories were Nevada Revised Statutes (NRS) 652.160 and 652.170. These two statutes address the Medical Laboratory Advisory Committee (MLAC). Until 2022, the MLAC committee had not convened for a meeting since 2016. The updates to this statute include: 1) if a vacancy occurs in the Advisory Committee, the Committee shall submit a letter to the Nevada Board of Health with a recommendation to fill the vacancy; and 2) the Advisory Committee shall meet at least once per year and at least once per year, determine whether any vacancy in the Advisory Committee exists.

AB 432 (delivered to Governor): Stated in section 29, AB 432 will allow for licensed optometrists to be laboratory directors of laboratories in which Waived laboratory tests can be performed. The statute NRS 652.210(1) currently allows for a licensed optometrist to collect specimens and perform Waived laboratory testing, but this bill will allow for them to be a laboratory director of a Waived (Exempt) laboratory. A change to NAC 652.397(1) will need to be addressed to add a licensed optometrist to be qualified laboratory directors of Waived (Exempt) laboratories.

AB 503 (approved by Assembly, stalled in Senate): In its original form, sections 70 through 77 of AB 503 would have required fingerprints from any owner (or if the owner is a corporation, each officer, director and beneficial owner of 10 percent or more of its shares) and laboratory director applying to operate, conduct testing, issue a report, or maintain a medical laboratory, in Nevada. An amendment adopted by the Assembly Committee on Commerce and Labor removed those sections from the bill, which then passed both the full Assembly and the Senate Commerce and Labor Committee, but it never made it to a vote by the full Senate.

SB 201 (stalled in Senate): Stated in multiple sections of the bill, SB 201 would have allowed for licensed pharmacists to order Waived laboratory tests that are necessary for therapy that uses a drug that has been approved by the FDA. The bill also stipulated that the pharmacist can be the laboratory director of a laboratory which performs Waived laboratory testing. In a separate statute, a pharmacist cannot order a test unless they have a collaborative agreement with an authorized medical provider (MD, DO, PA, APRN). In addition, according to NAC 652.397, a

pharmacist can only be a laboratory director if the only test performed is a fingerstick glucose test. The Senate Commerce and Labor Committee approved Amendment 400, which added further language of, “within the authorized scope of practice of the registered pharmacist,” but SB 201 was never heard by the full Senate.

6.) Nominations and possible selection of MLAC chairperson. – **For Possible Action.**

7.) Determine date of next meeting (dates of future meetings subject to change).

8.) PUBLIC COMMENT

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9.) Adjournment

AGENDA POSTED AT THE FOLLOWING LOCATIONS:

On the Internet at the [Division of Public and Behavioral Health website](#)
and at <https://notice.nv.gov/>

AGENDA EMAILED FOR POSTING AT THE FOLLOWING LOCATIONS:

Division of Public and Behavioral Health, 4220 S. Maryland Parkway, Bldg. A, Suite 100, Las Vegas, NV
Division of Public and Behavioral Health, 4150 Technology Way, Carson City, NV
Division of Public and Behavioral Health, 727 Fairview Drive, Suite E, Carson City, NV
Nevada State Library and Archives, 100 N. Stewart St, Carson City, NV

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. In the event of Microsoft Teams application has technical difficulties, the meeting may be conducted by teleconference from the same location. If special arrangements are necessary, please notify Keri King, Division of Public and Behavioral Health, in writing please send to, 727 Fairview Drive, Suite E, Carson City, Nevada 89701 or by calling (775) 684-1042 before the meeting date. Anyone who wants to be on the advisory council mailing list can sign up on the listserv at <http://dpbh.nv.gov/Reg/HealthFacilities/dta/Lists/Listservs/>.

If you need supporting documents for this meeting, please notify Keri King, Division of Public and Behavioral Health, Bureau of Health Care Quality and Compliance, at (775) 684-1042 or by email at kking@health.nv.gov.