

## Errata – LCB File No. R145-23

Black regular font = Existing language in chapter NAC 652A

***Blue bold italic*** = Proposed language found in LCB File No. R145-23

~~***Red italic in brackets with strikethrough***~~ = Proposed omitted material found in LCB File No. R145-23

~~***Red italic strikethrough***~~ = New language proposed to be stricken in the Errata

***Green bold italic*** = New language proposed in Errata

Section 1. NAC 652.170 is hereby amended to read as follows:

**NAC 652.170 Laboratory: Application for license or registration; action by Division on application; proof of identity of laboratory director to be provided with application. ([NRS 439.200](#), [652.090](#), [652.130](#))**

1. An ***initial*** application for a license or registration for a laboratory must be made on a form provided by the Division. Upon receipt of a completed application, the Division shall conduct an inspection of the facility which may include an examination of the policies and procedures of the laboratory to determine whether the laboratory is in substantial compliance with this chapter for the procedures for testing that the laboratory desires to provide.

2. ***Any changes to the most recent application for a laboratory must be provided to the agency on a format prescribed by the Division. Upon receipt of a completed application, the Division shall conduct an inspection of the facility which may include an examination of the policies, procedures, validations and/or verifications of instruments and methodologies of the laboratory to determine whether the laboratory is in substantial compliance with this chapter for the procedures for testing that the laboratory desires to provide. The amendments to the most recent application will include the following:***

(a) ***Change of Ownership,***

(b) ***Change of laboratory director,***

(c) ***Change of location or physical address of the existing laboratory,***

(d) ***Change of the name of the laboratory,***

(e) ***A reactivation of an expired or closed laboratory license, or***

(f) ***An addition of any laboratory test, analyte, or change in test methodology for which the laboratory has not yet been approved. Test addition approval is required prior to the analysis and reporting of patient/human laboratory results.***

~~2.~~**(3.)** The Division shall notify the applicant of the disposition of the application within 30 days after receipt of the application.

~~3.~~**(4.)** The laboratory director shall include at least one of the following forms of proof of identity with the application:

(a) An electronic signature;

(b) A notarized statement;

(c) A copy of a form of government-issued identification, which may include, without limitation, a driver's license, passport, identification card issued by the Department of Motor Vehicles or other government-issued identification acceptable to the Division; or

(d) Other proof of identity acceptable to the Division.

~~4.~~ (5.) As used in this section, “electronic signature” means a user name attached to or logically associated with a record and executed or adopted by an applicant with the intent to sign an electronic application or other document.

[Bd. of Health, Medical Laboratories Reg. §§ 2.1-2.1.5, eff. 8-5-74] — (NAC A 10-17-86; 1-4-88; 10-22-93; R078-04, 8-5-2004; R104-13, 3-28-2014; R149-15, 6-21-2017)

## Section 7.

NAC 652.380 is hereby amended to read as follows:

652.380 Except as otherwise provided in NAC 652.383, to qualify for a license as a director of a licensed laboratory, a person must meet one of the following qualifications:

1. Be a physician who is licensed to practice medicine in this State and:

(a) Be certified in anatomical and clinical pathology, or in clinical pathology, by:

(1) The American Board of Pathology; or

(2) The American Osteopathic Board of Pathology;

(b) Possess qualifications which are equivalent to those required for certification by either of the institutions listed in paragraph (a);

(c) Within the 10 years immediately preceding application for a license, have successfully completed a 4-year program accredited by the National Accrediting Agency for Clinical Laboratory Sciences;

(d) Be certified, in accordance with NAC 652.410, as a general supervisor; or

(e) Have at least 4 years of experience as a technologist:

(1) In a licensed laboratory or a laboratory of a hospital, health department or university;

(2) As a full-time employee working at least 30 hours per week; and

(3) Under the supervision of a director who possesses a doctoral degree.

2. Hold an earned doctoral degree from an accredited institution, with a chemical, *physical*, biological or clinical laboratory science as the major, have at least 1 year of experience directing or supervising laboratory testing or performing laboratory testing at the level of a technologist in a laboratory which meets the requirements of NAC 652.170 to [652.600,] 652.590, inclusive, and sections 3, 4 and 5 of LCB File No. 126-21, and:

(a) Be certified by:

- (1) The American Board of Medical Microbiology;
  - (2) The American Board of Clinical Chemistry;
  - (3) The American Board of Bioanalysis;
  - (4) The American Board of Medical Laboratory Immunology;
  - (5) The American Board of Forensic Toxicology;
  - (6) The American Board of Medical Genetics and Genomics;
  - (7) The National Registry of Certified Chemists;
  - (8) The American [Board of] Society for Histocompatibility and Immunogenetics; or
  - (9) Any other institution approved by the United States Department of Health and Human Services in accordance with 42 C.F.R. § 493.1443(b)(3); or
- (b) Possess qualifications which are equivalent to those required for certification by any of the institutions listed in paragraph (a).

*3. A person that has previously qualified as a licensed laboratory director with a degree from an accredited institution in a physical science before January 1, 2025, will continue to be considered qualified for a license as a director of a licensed laboratory.*

## **Section 8.**

NAC 652.395 is hereby amended to read as follows:

652.395 To qualify for a license as a director of a registered laboratory, a person must:

1. Be a physician licensed to practice in this State and have:

- (a) At least 1 year of experience directing or supervising laboratory testing in a laboratory which meets the requirements of NAC 652.170 to ~~652.600,~~ 652.590, inclusive, and sections 3, 4 and 5 of LCB File No. R126-21;
- (b) Credit for at least 20 hours of continuing medical education in laboratory practice regarding the responsibilities of a director; or
- (c) Laboratory training, obtained during medical residency, equivalent to the training required by paragraph (b); or

2. Hold an earned doctoral degree from an accredited institution, with a major in chemical, ~~physical,~~ biological or clinical laboratory science, and:

(a) Have at least 1 year of experience directing or supervising laboratory testing or performing laboratory testing at the level of a technologist in a laboratory which meets the requirements of NAC 652.170 to ~~652.600,~~ 652.590, inclusive, and sections 3, 4 and 5 of LCB File No. R126-21;

(b) Be certified by:

(1) The American Board of Medical Microbiology;

(2) The American Board of Bioanalysis;

(3) The American Board of Medical Laboratory Immunology;

(4) The American Board of Clinical Chemistry;

(5) The American Board of Forensic Toxicology;

(6) The American Board of Medical Genetics and Genomics;

(7) The National Registry of Certified Chemists;

(8) The American ~~Board of~~ *Society for* Histocompatibility and Immunogenetics; or

(9) Any other institution approved by the United States Department of Health and Human Services in accordance with 42 C.F.R. § 493.1443(b)(3); or

(c) Possess qualifications which are equivalent to those required for certification by any of the institutions listed in paragraph (b).

*3. A person that has previously qualified as a registered laboratory director with a degree from an accredited institution in a physical science before January 1, 2025, will continue to be considered qualified for a license as a director of a registered laboratory.*

#### **Section 10.**

NAC 652.400 is hereby amended to read as follows:

652.454

1. To qualify for a certificate as a point-of-care test analyst, a person must:

(a) Be a:

(1) Registered nurse as defined in NRS 632.019;

(2) Advanced practice registered nurse as defined in NRS 632.012;

(3) Licensed practical nurse as defined in NRS 632.016;

(4) Practitioner of respiratory care as defined in NRS 630.023;

(5) Physician assistant as defined in NRS 630.015;

- (6) Registered pharmacist as defined in NRS 639.015 who has participated in the development of written guidelines and protocols as described in NRS 639.0124;
- (7) Certified laboratory assistant who has successfully completed training approved by a director in performing point-of-care tests;
- (8) Nursing assistant, as defined in NRS 632.0166; ~~or~~
- (9) Student enrolled in an accredited school of professional nursing or graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation; ~~and~~ *or*
- (10) Student enrolled in an accredited school for licensed practical nursing or graduate of such a school pending the results of the first licensing examination scheduled by the State Board of Nursing following graduation; and*
- (b) Provide verification from a director that the person has successfully completed training approved by a director in performing the preanalytic, analytic and postanalytic phases of point-of-care tests; or

2. A nursing assistant who is certified as a point-of-care test analyst may only perform glucose testing classified as a waived test pursuant to 42 C.F.R. Part 493, Subpart A.

## Section 11.

NAC 652.410 is hereby amended to read as follows:

### **General supervisor of licensed laboratory: Qualifications. (NRS 439.200, 652.123, 652.125, 652.130)**

1. To qualify for a certificate as a general supervisor of a licensed laboratory, a person must, except as otherwise provided in this section, be:
  - (a) A qualified physician serving on behalf of the director; or
  - (b) A clinical laboratory technologist who has had at least 3 years of experience in a laboratory as a full-time employee working at least 30 hours per week, of which at least 2 years have been spent working:
    - (1) In a licensed laboratory or a laboratory of a hospital, university or health department; and
    - (2) Under the supervision of a director who possesses a doctoral degree.
2. A technologist certified by the Board in a specialty who has had at least 3 years of experience in a laboratory as a full-time employee working at least 30 hours per week, of which at least 2 years have been spent working:
  - (a) In a licensed laboratory or a laboratory of a hospital, university or health department; and
  - (b) Under the supervision of a director who possesses a doctoral degree,
 Ê qualifies for a certificate as a general supervisor of a licensed laboratory if the tests performed in the laboratory are solely in his or her specialty.
3. A person who possesses a doctoral degree from an accredited institution with a major in chemical, *physical* or biological science and who has had at least 1 year of experience in a licensed laboratory or a laboratory of a hospital, university or health department as a full-time employee

working for at least 30 hours per week under the supervision of a director who possesses a doctoral degree qualifies for a certificate as a general supervisor of a licensed laboratory.

4. A person who possesses a master's degree from an accredited institution with a major in chemical, *physical* or biological science and who has had at least 2 years of experience in a licensed laboratory or a laboratory of a hospital, university or health department as a full-time employee working at least 30 hours per week under the supervision of a director who possesses a doctoral degree qualifies for a certificate as a general supervisor of a licensed laboratory.

*5. A person that has previously qualified as a general supervisor of a licensed laboratory with a degree from an accredited institution in a physical science before January 1, 2025, will continue to be considered qualified for a certification as a general supervisor of a licensed laboratory.*

[Bd. of Health, Medical Laboratories Reg. §§ 5.1.2.1.3-5.1.2.1.3.3, eff. 8-5-74] — (NAC A 10-17-86; 8-1-91; 10-22-93; R078-04, 8-5-2004; R176-07, 1-30-2008)

## Section 12.

NAC 652.420 is hereby amended to read as follows:

**Clinical laboratory technologist: Activities and qualifications. ([NRS 439.200](#), [652.123](#), [652.125](#), [652.130](#))**

1. A clinical laboratory technologist may:

(a) Perform tests which require the exercise of independent judgment, under minimum supervision or review by the director or general supervisor, in those specialties for which the technologist has had adequate education, training and experience and in which he or she has demonstrated a proficiency; and

(b) Supervise, if necessary, the work of the medical technicians and laboratory assistants.

2. To qualify for a certificate as a clinical laboratory technologist, a person must:

(a) Successfully complete a full course of study which meets all academic requirements for a bachelor's degree in medical technology from an accredited college or university, and pass a national examination for certification approved by the Board;

(b) Successfully complete a course of study for a bachelor's degree in one of the chemical, *physical* or biological sciences at an accredited college or university, have at least 1 year of additional full-time experience or training in a licensed laboratory, or laboratory of a hospital, health department or university in the specialty or subspecialty in which the person performs tests, and pass a national examination for certification approved by the Board; or

(c) Pass the examination for clinical laboratory technologists given by the United States Department of Health and Human Services.

*5. A person that has previously qualified as a clinical laboratory technologist with a degree from an accredited institution in a physical science before January 1, 2025, will continue to be considered qualified for a certification as a clinical laboratory technologist.*

[Bd. of Health, Medical Laboratories Reg. §§ 5.1.2.2-5.1.2.2.2.4, eff. 8-5-74] — (NAC A 10-17-86; 10-22-93; R078-04, 8-5-2004; R176-07, 1-30-2008; R149-15, 6-21-2017)

## Section 13.

NAC 652.437 is hereby amended to read as follows:

**Histologic technician: Qualifications and activities.** ([NRS 439.200](#), [652.123](#), [652.125](#), [652.130](#))

1. To qualify for a certificate as a histologic technician, a person must:

(a) Successfully complete a program in histotechnology certified by the Commission on Accreditation of Allied Health Education Programs;

(b) Have an associate degree in chemistry, *or* biology ~~*or a physical science*~~ or successfully complete at least 60 semester hours or the equivalent of academic credit from an accredited college or university with at least 12 semester hours in science, of which 6 hours are in chemistry and 6 hours are in biology, and have 1 year of full-time experience in histotechnology in a histology laboratory under the supervision of a pathologist certified in anatomic pathology by the American Board of Pathology Incorporated or a pathologist eligible for certification in anatomic pathology; or

(c) Be a high school graduate or the equivalent and have 2 years of full-time experience in histotechnology, within the preceding 5 years, in a histology laboratory under the supervision of a pathologist certified in anatomic pathology by the American Board of Pathology Incorporated or a pathologist eligible for certification in anatomic pathology.

*2. A person that has previously qualified as a histologic technician with a degree from an accredited institution in a physical science before January 1, 2025, will continue to be considered qualified for a certification as a histologic technician.*

~~2.~~ 3. A histologic technician may only perform histologic procedures under the supervision of a histotechnologist or the director and may only perform cytologic procedures under the direction of a cytotechnologist, a histotechnologist or the director.

(Added to NAC by Bd. of Health, eff. 10-17-86; A 10-22-93; R149-15, 6-21-2017)



## Section 14.

NAC 652.480 is hereby amended to read as follows:

### **Technologists: Certification in specialty for which national examination is given; application for certification; designation on certificate. ([NRS 439.200](#), [652.123](#), [652.125](#), [652.130](#))**

1. Except as otherwise provided in [NAC 652.483](#), to be certified by the Division in a specialty, a technologist must pass a national examination for certification in the specialty and must have successfully completed a course of study for a bachelor's degree in one of the chemical, *physical* or biological sciences at an accredited college or university, and have at least 1 year of additional full-time experience or training in a licensed laboratory, or a laboratory of a hospital, health department or university, in the chosen specialty under the supervision of a director who possesses a doctoral degree.

2. Each applicant for certification in a specialty must designate on the application the specialty in which he or she desires to be certified. The applicant must submit with the application:

- (a) Verification of successful completion of the course of study required by subsection 1; and
- (b) A signed and dated letter from the director of the laboratory in which the applicant obtained his or her experience, which verifies that the applicant has the experience required by subsection 1.

3. Each certificate will designate the holder by:

- (a) The title of "Technologist" in a specialty; or
- (b) An equivalent title and will show his or her area of specialty by a subtitle.

*4. A person that has previously qualified as a technologist with a specialty in which a national certification is given with a degree from an accredited institution in a physical science before January 1, 2025, will continue to be considered qualified for a certification as a technologist with a specialty.*

[Bd. of Health, Medical Laboratories Reg. §§ 9.1, 9.2, 9.4 & 9.5, eff. 2-28-80; § 9.3, eff. 2-28-80; A 2-5-82] — (NAC A 10-17-86; 1-4-88; 10-22-93; R176-07, 1-30-2008; R104-13, 3-28-2014; R149-15, 6-21-2017)

## Section 15.

NAC 652.483 is hereby amended to read as follows:

**Technologists: Certification in specialty for which national examination is not given. ([NRS 439.200](#), [652.123](#), [652.125](#), [652.130](#))** The Division shall certify a technologist in a specialty for which a national examination is not given if he or she:

1. Has education and experience in the specialty which is acceptable to the Division;
2. Obtains a written recommendation of the proposed certification from a director licensed in this State who holds a doctoral degree; and

3. Has successfully completed a course of study for a bachelor's degree in one of the chemical, *physical* or biological sciences at an accredited college or university, and has 1 year of experience in a licensed laboratory, or a laboratory of a hospital, health department or university, in the chosen specialty under the supervision of a director who possesses a doctoral degree.

*4. A person that has previously qualified as a technologist with a specialty in which a national certification is not given with a degree from an accredited institution in a physical science before*



*January 1, 2025, will continue to be considered qualified for a certification as a technologist with a specialty.*

(Added to NAC by Bd. of Health, eff. 1-4-88; A 10-22-93; R176-07, 1-30-2008; R104-13, 3-28-2014)