HOUSE . . . . . No. 4377

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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:

SECTION 1. Chapter 112 of the General Laws is hereby amended by adding at the end thereof the following new sections:-

Section 236. As used in sections 236 to 238, inclusive, the following words shall, unless the context clearly means otherwise, have the following meanings:

"approved national certification agency", one of the nationally recognized agencies that certify phlebotomists by examination, including but not limited to:

(i) American Society for Clinical Pathology;

(ii) American Medical Technologists, National Credentialing Agency;

(iii) American Certification Agency;

(iv) be certified as a phlebotomist or its equivalent by national independent organization whose certification procedures for phlebotomy have been approved by the National Commission for Certifying Agencies (NCCA);

"Phlebotomist", a person whose responsibilities include, but are not limited to, collecting blood samples from patients under the instruction of a physician licensed under section 2 of chapter 112 of the General Laws, separating blood into different test tubes in order for it to be used in medical tests, accurately labeling said tubes and insuring correct samples are sent to the laboratory.

"Phlebotomy", the incision into a vein or artery for the purpose of drawing blood.

Section 237. No person shall represent himself to be a phlebotomist or in the business of phlebotomy or use the title phlebotomist in the commonwealth on any sign, title, card, or other

21 device to indicate that such person is a phlebotomist, unless such person shall have secured from
22 an approved national certification agency a certificate of registration as a phlebotomist.

23 Section 238. The requirements contained in sections 236 to 238, inclusive, shall not be
24 construed to prevent any of the following persons from acting within the scope of their
25 profession:

26 (i) Certified clinical laboratory scientists;

27 (ii) Medical technologists;

28 (iii) Medical laboratory technicians; or

29 (iv) Physicians licensed under section 2 of Chapter 112 of the General laws.

30 Section 239. The commissioner of public health shall promulgate regulations to enforce
31 sections 236 to 238, inclusive.

32 SECTION 2.

33 (a) The requirements of this act shall take effect three (3) years following enactment.

34 (b) For individuals who have practiced as a phlebotomist directly through or on behalf of
35 a hospital for a period of three consecutive years; the requirements of this act shall take effect
36 five (5) years following enactment.