

45:9-42.33

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 45:9-42.33

(Clinical
laboratories--exemption
from licensing
requirements)

LAWS OF: 1991

CHAPTER: 26

Bill No: A3614, A3557, S2757

Sponsor(s): Deverin, Hudak, Bubba

Date Introduced: June 7, 1990

Committee: Assembly: Health & Human Services

Senate: Labor, Industry & Professions

Amended during passage: No Senate Committee substitute enacted

Date of Passage: Assembly: October 4, 1990

Senate: December 13, 1990

Date of Approval: February 19, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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SENATE COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 3614 and 3557 ACS and SENATE, No. 2757

STATE OF NEW JERSEY

ADOPTED DECEMBER 3, 1990

Sponsored by Assemblymen DEVERIN and HUDAK
and Senator BUBBA

1 AN ACT exempting certain agencies from the licensing
2 requirements of clinical laboratories and amending P.L.1975,
3 c.166.

4

5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 1. Section 8 of P.L.1975, c.166 (C.45:9-42.33) is amended to
8 read as follows:

9 8. The provisions of this act shall not apply to [clinical
10 laboratories]:

11 a. [Operated] Clinical laboratories operated and maintained
12 exclusively for research and teaching purposes, involving no
13 patient or public health services whatsoever;

14 b. [Operated] Clinical laboratories operated by the United
15 States Government, or blood banks licensed under P.L.1963, c.33
16 (C.26:2A-2 et seq.);

17 c. [Specifically] Clinical laboratories specifically exempted
18 from the provisions of this act by rules and regulations
19 promulgated by the Public Health Council pursuant to section 9
20 of [this act] P.L.1975, c.166 (C.45:9-42.34); or

21 d. Clinical laboratories which are operated by the Department
22 of Corrections, any county jail, any county probation department,
23 or any drug or alcohol treatment center providing services to
24 persons under the jurisdiction of any of these agencies or in a
25 program of supervisory treatment pursuant to the provisions of
26 N.J.S.2C:43-13 and which perform only urinalysis for screening
27 purposes to detect the presence of alcohol or illegal substances.
28 The Attorney General shall approve procedures, methods and
29 devices used by these agencies or centers in screening for alcohol
30 or illegal substances.

31 (cf: P.L.1975, c.166, s.8)

32 2. This act shall take effect immediately.

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35 REGULATED PROFESSIONS

36

37 Exempts certain agencies from clinical laboratory licensing
38 requirements.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

ASSEMBLY, No. 3614
STATE OF NEW JERSEY

INTRODUCED JUNE 7, 1990

By Assemblymen DEVERIN and HUDAK

1 AN ACT exempting certain agencies from the licensing
2 requirements of clinical laboratories and amending P.L.1975,
3 c.166.

4

5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 1. Section 8 of P.L.1975, c.166 (C.45:9-42.33) is amended to
8 read as follows:

9 8. The provisions of this act shall not apply to [clinical
10 laboratories]:

11 a. [Operated] Clinical laboratories operated and maintained,
12 exclusively for research and teaching purposes, involving no
13 patient or public health services whatsoever;

14 b. [Operated] Clinical laboratories operated by the United
15 States Government, or blood banks licensed under P.L.1963, c.33
16 (C.26:2A-2 et seq.);

17 c. [Specifically] Clinical laboratories specifically exempted
18 from the provisions of this act by rules and regulations
19 promulgated by the Public Health Council pursuant to section 9
20 of [this act] P.L.1975, c.166 (C.45:9-42.26 et seq.); or

21 d. Any State or local law enforcement agency, the State
22 Parole Board, the Department of Corrections, any county jail,
23 any probation department, any treatment center providing
24 services to law enforcement or correctional agencies, or any
25 court service which performs urinalyses to determine an
26 individual's drug or alcohol use for law enforcement purposes.

27 (cf: P.L.1975, c.166, s.8)

28 2. This act shall take effect immediately.

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STATEMENT

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33 This bill exempts certain agencies from the licensing
34 requirements of the "New Jersey Clinical Laboratory
35 Improvement Act," P.L.1975, c.166 (C.45:9-42.26 et seq.). The
36 bill exempts any State or local law enforcement agency, the
37 State Parole Board, the Department of Corrections, any county
38 jail, any probation department, any treatment center providing
39 services to law enforcement or correctional agencies, or any
40 court service which performs urinalyses to determine drug or
41 alcohol use for law enforcement purposes.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 This bill is intended to permit a correctional facility, for
2 example, to conduct drug or alcohol screening of inmates without
3 the requirement of obtaining a license as a clinical laboratory.

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REGULATED PROFESSIONS

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8 Exempts certain agencies from clinical laboratory licensing
9 requirements.

ASSEMBLY, No. 3557

STATE OF NEW JERSEY

INTRODUCED MAY 21, 1990

By Assemblyman MECCA

1 AN ACT concerning exemption from the licensing requirements
2 of clinical laboratories and amending P.L.1975, c.166.

3

4 BE IT ENACTED *by the Senate and General Assembly of the*
5 *State of New Jersey:*

6 1. Section 8 of P.L.1975, c.166 (C.45:9-42.33) is amended to
7 read as follows:

8 8. The provisions of this act shall not apply to [clinical
9 laboratories]:

10 a. [Operated] Clinical laboratories operated and maintained
11 exclusively for research and teaching purposes, involving no
12 patient or public health services whatsoever;

13 b. [Operated] Clinical laboratories operated by the United
14 States Government, or blood banks licensed under P.L.1963, c.33
15 (C.26:2A-2 et seq.);

16 c. [Specifically] Clinical laboratories specifically exempted
17 from the provisions of this act by rules and regulations
18 promulgated by the Public Health Council pursuant to section 9
19 of [this act] P.L.1975, c.166 (C.45:9-42.26 et seq.); or

20 d. Any State or local law enforcement agency, the State
21 Parole Board, the Department of Corrections, any county jail, or
22 any probation department.

23 (cf: P.L.1975, c.166 s.8)

24 2. This act shall take effect immediately.

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STATEMENT

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28 This bill exempts certain agencies from the licensing
29 requirements of the "New Jersey Clinical Laboratory
30 Improvement Act," P.L.1975, c.166 (C.45:9-42.26 et seq.). The
31 bill exempts any State or local law enforcement agency, the
32 State Parole Board, the Department of Corrections, any county
33 jail, or any probation department. This bill is intended to permit,
34 for example, a correctional facility to conduct drug or alcohol
35 screening of inmates without the requirement of obtaining a
36 license as a clinical laboratory.

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REGULATED PROFESSIONS

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40 Exempts certain agencies from clinical laboratory licensing
41 requirements.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

SENATE, No. 2757

STATE OF NEW JERSEY

INTRODUCED JUNE 7, 1990

By Senators BUBBA and LYNCH

1 AN ACT concerning exemption from the licensing requirements
2 of clinical laboratories and amending P.L.1975, c.166.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. Section 8 of P.L.1975, c.166 (C.45:9-42.33) is amended to
7 read as follows:

8 8. The provisions of this act shall not apply to [clinical
9 laboratories]:

10 a. [Operated] Clinical laboratories operated and maintained
11 exclusively for research and teaching purposes, involving no
12 patient or public health services whatsoever;

13 b. [Operated] Clinical laboratories operated by the United
14 States Government, or blood banks licensed under P.L.1963, c.33
15 (C.26:2A-2 et seq.);

16 c. [Specifically] Clinical laboratories specifically exempted
17 from the provisions of this act by rules and regulations
18 promulgated by the Public Health Council pursuant to section 9
19 of [this act] P.L.1975, c.166 (C.45:9-42.26 et seq.); or

20 d. Any State or local law enforcement agency, the State
21 Parole Board, the Department of Corrections, any county jail, or
22 any probation department which performs screening tests to
23 detect the presence of illegal substances and which are not used
24 for diagnosis, prevention or treatment of disease. The Attorney
25 General shall approve procedures, methods and devices used by
26 these agencies in screening for illegal substances.

27 (cf: P.L.1975, c.166, s.8)

28 2. This act shall take effect immediately.
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31 STATEMENT
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33 This bill exempts certain agencies from the licensing
34 requirements of the "New Jersey Clinical Laboratory
35 Improvement Act," P.L.1975, c.166 (C.45:9-42.26 et seq.). The
36 bill exempts any State or local law enforcement agency, the
37 State Parole Board, the Department of Corrections, any county
38 jail, or any probation department which performs screening tests
39 to detect the presence of illegal substances and which are not
40 used for diagnosis, prevention or treatment of disease. The bill
41 also provides that the Attorney General shall approve procedures,

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above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 methods and devices used in screening for illegal substances.
2 This bill is intended to permit, for example, a correctional
3 facility to conduct drug or alcohol screening of inmates without
4 the requirement of obtaining a license as a clinical laboratory.

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REGULATED PROFESSIONS

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9 Exempts certain agencies from clinical laboratory licensing
10 requirements.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, Nos. 3614 and 3557

STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 1990

The Assembly Health and Human Services Committee favorably reports an Assembly Committee Substitute for Assembly Bill Nos. 3614 and 3557.

This committee substitute exempts certain agencies from the licensing requirements of the "New Jersey Clinical Laboratory Improvement Act," P.L.1975, c.166 (C.45:9-42.26 et seq.). The substitute exempts any State or local law enforcement agency, the State Parole Board, the Department of Corrections, any county jail, any probation department, any treatment center providing services to law enforcement or correctional agencies, or any court service which performs urinalyses to determine drug or alcohol use for law enforcement purposes.

This substitute is intended to permit any of these agencies or services to conduct drug or alcohol screening of inmates without the requirement of obtaining a clinical laboratory license.

SENATE LABOR, INDUSTRY AND PROFESSIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 3614 and 3557 ACS and SENATE, No. 2757

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1990

The Senate Labor, Industry and Professions Committee reports favorably a Senate Committee Substitute for Assembly, Nos. 3614 and 3557 (ACS) and Senate, No. 2757.

This bill exempts certain agencies from the licensing requirements of the "New Jersey Clinical Laboratory Improvement Act," P.L.1975, c.166 (C.45:9-42.26 et seq.). The bill exempts clinical laboratories which are operated by the Department of Corrections, any county jail, any county probation department, and any drug or alcohol treatment center providing services to persons under the jurisdiction of any of these agencies or in a program of supervisory treatment pursuant to the provisions of N.J.S. 2C:43-13 if they perform only urinalysis for screening purposes to detect the presence of alcohol or illegal substances. The Attorney General must approve procedures, methods and devices used by these agencies and centers in screening for alcohol or illegal substances.

The intent of the bill is to permit any of these agencies or centers to conduct alcohol or drug screening of inmates or certain other persons without the requirement of obtaining a clinical laboratory license.