

**NEW YORK STATE EDUCATION DEPARTMENT
STATE BOARD FOR CLINICAL LABORATORY TECHNOLOGY**

**Meeting Minutes
Friday October 21, 2022
11:00am- 1:00 pm**

**80 Wolf Road,
3rd Floor, Rooms A and B,
Albany, NY
And
Via Video**

Members present Nadar Okby, Chair; Kathleen M. Crowley, Vice Chair; Mary Ellen Clerkin; Kelly Cwikla; Adam N. Tegnander; Alyson L. Rutgliaro; Angela Miczek; Maria Friedlander; Jeninne Wright

Members excused Michael Reiner

Extended members present Angela Tomei-Robinson

Board Office Staff present Suzanne Sullivan, RN, Executive Secretary; Eileen Avery, RN, Associate in Nursing Education

Guest Observers Amy Kellogg; Kevin Jefferson

Call to Order and Approval of Prior Meeting Minutes

The meeting was called to order at 11 AM. The April 8, 2022 Clinical Laboratory Board Meeting minutes were unanimously approved without changes.

Ms. Sullivan introduced herself and provided a brief description of her background and qualifications. Board Members and staff introduced themselves.

Discussion of Proposed Rule to Relating to Clinical Laboratory Technology Practitioner Licensure

Ms. Sullivan provided an overview of NYSED's plans to implement Chapter 466 of the Laws of 2022 (a New York Law). She noted that this new law was enacted in July 2022 in response to a long-term workforce shortage of licensed clinical laboratory technology practitioners in New York and that the law allows NYSED the flexibility to license additional qualified persons as clinical laboratory practitioners. Ms. Sullivan provided an overview of a proposed emergency rule that would implement Chapter 466 of the Laws of 2022. She specifically noted that the proposed rule does the following:

- It changes the name of the "histological technician" profession to "histotechnician".
- It establishes a new pathway for clinical laboratory technicians to qualify for New York State licensure as a clinical laboratory technologist.
- It allows applicants to fulfill certain requirements for licensure or certification as a clinical laboratory technology practitioner by being licensed in another jurisdiction or certified by a national certifying organization acceptable to the department.
- It expands the duration of limited permits and provisional permits to up to two years.
- It also repeals some outdated regulatory provisions.

Board Members were given an opportunity to review a copy of the proposed rule and discuss and comment on it. Ms. Sullivan urged Board Members to email her with any additional comments on the proposed rule no later than October 28, 2022.

Ms. Sullivan noted that the proposed rule would probably be adopted by the New York State Board of Regents on a temporary emergency basis in December 2022. She also noted that the proposed rule would be published in the New York State Register for a 60-day comment period before it could be adopted on a permanent basis.

She also noted that NYSED will need to develop and adopt a second rule that would establish a new profession, histotechnologists, and address professional education and other issues that impact clinical laboratory technology practitioners.

Clinical Laboratory Restricted Licensure Discussion

Ms. Sullivan provided an overview of the current criteria for qualifying for restricted licenses. She informed Board Members of proposed changes to training programs that applicants must complete to qualify for a restricted license. The proposed changes related to training programs addressed minimum requirements for on-site supervision of trainees and requirements for clinical laboratory permits.

New Business

Ms. Sullivan stated that at a recent New York State Clinical Laboratory Association meeting, she described to attendees NYSED's plans to implement Chapter 466 of the Laws of 2022, including creating new pathways for licensure for clinical laboratory technology practitioners. Board Members noted that there are currently vacancies on the Clinical Laboratory Technology Board for a public member and a cytotechnologist.

The meeting adjourned at 1 PM.