

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

**Meeting Minutes
Friday April 28, 2023
11:00am-1:00 pm**

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

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

Members excused:

Extended members present: Angela Tomei-Robinson

Board Office Staff present: Suzanne Sullivan, RN, Executive Secretary; Eileen Avery, RN, Associate in Nursing Education; Scott Prince Administration Assistant Trainee 1

Guest Observers: Amy Kellogg, Esq. (Harter Secrest & Emery LLP)

Call to Order and Approval of Prior Meeting Minutes

The meeting was called to order at 11:20 AM. The February 3, 2023 Clinical Laboratory Technology Board Meeting minutes were approved.

Discussion of Regulations to Relating to Clinical Laboratory Technology Practitioner Licensure

Ms. Sullivan informed Board Members that the State Education Department's Clinical Laboratory Technology regulations were permanently adopted earlier in April. She noted that before the regulations were adopted, they were published in the New York State Register for a 60-day public comment period. Two commentators provided input on the regulations during the comment period, but no changes were made to the regulations in response to the comments.

Ms. Sullivan advised Board Members that the State Education Department is seeking their individual recommendations regarding regulatory provisions that allow applicants for New York State clinical laboratory technologist, clinical laboratory technician, histotechnician, cytotechnologist licenses to fulfill education alternative requirements for licensure by being certified by a national certifying organization acceptable to NYSED. Ms. Sullivan requested that Board Members review charts that briefly described national certifications relevant to New York's clinical laboratory technology professions. She asked Board Members to provide feedback regarding which national certifications might be suitable to meet the alternative education requirements for New York licensure as a clinical laboratory practitioner and which licensed professions should be deferred. Ms. Sullivan explained that she planned to do additional research on the deferred certifications and may ask Board Members at a future date to consider the other state's licenses along with additional relevant information.

The consensus of Board Members was that the following national certifications should be acceptable education alternative requirements for New York State licensure as a clinical laboratory technologist: ASCP (MLS), ASCPi (MLS), and AMT (MLS). Board Members agreed that the following national certifications were acceptable education alternative requirements for New York State licensure as a clinical laboratory technician: ASCP (MT), ASCPi (MT), and AMT (MT). With respect to the Cytotechnologist profession, the consensus of Board Members was that the following certifications should be acceptable education alternative requirements for New York State licensure as a cytotechnologist: ASCP (CT), ASCPi (CT), ASCP (SCT), and ASCPi (SCT). Board Members confirmed that following certifications were acceptable education alternative requirements for New York State licensure as a histotechnician: ASCP (HT) and ASCPi (HT).

Ms. Sullivan advised Board Members that NYSED is seeking their individual recommendations regarding licensure criteria for the histotechnologist profession, which will become new profession in January 2024. Board Members considered information provided by Ms. Sullivan. Board Members agreed that the licensure examination for histotechnologists should be ASCP's HLT certification exam and that the ASCP (HLT) and ASCPi (HLT) would be acceptable education alternative requirements for New York State licensure as a histotechnologist. Board Members also agreed that NAACLS accredited histotechnologist programs should be considered by the State Education Department when developing education requirements for histotechnologist licensure.

In response to Board Member questions, Ms. Sullivan described the legal requirements that a histotechnician would have to meet to qualify for licensure as histotechnologist in New York State. Board Members also briefly discussed recently adopted New York State Department of Health clinical laboratory regulations that changed supervision requirements for clinical laboratory professionals. Board Members expressed interest in inviting the director of the Department of Health's Clinical Laboratory Evaluation Program to speak about these regulations, and other issues relevant to clinical laboratory technology professions.

New Business

Board Members engaged in a discussion relating to the current clinical laboratory technology workforce shortage, including options for alleviating the shortage that would require a change to New York State law. Ms. Sullivan explained that Board Members should discuss all options for addressing the workforce shortage or improving the clinical laboratory technology professions. However, she advised that the Board should not advocate for specific changes to New York State law unless asked to do so by the State Education Department or the Board of Regents. Board Members continued to discuss the need for improving the requirements for performing molecular diagnosis testing. Some Board Members felt that the restricted license categories for molecular testing were very proscriptive and that clinical laboratories could benefit from employing persons with molecular testing restricted licenses who could perform a broader number of molecular testing services than what New York Law appears to allow.

The meeting adjourned at 1 PM.