

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

**Meeting Minutes
Friday February 23, 2024
11:00am- 1:00 pm**

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

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

Extended members present Angela Tomei-Robinson

Board Office Staff present Suzanne Sullivan, Executive Secretary; Eileen Avery, Associate in Nursing Education; Kellie Murphy, Supervisor, Professions Connections

Guest Observers Dr. Eloise Aita, President of the NYS Clinical Laboratory Association; Caitlin Anderson, Harter, Secrest, and Emery Law for NYS Clinical Laboratory Association; Beverly Rausch, Director, Clinical Laboratory Evaluation Program, Wadsworth Center

Call to Order and Approval of Prior Meeting Minutes

The meeting was called to order at 11:00 AM. The minutes of the Clinical Laboratory Technology Board Meeting on October 27, 2023, were approved.

News

Ms. Sullivan announced that Sarah Benson, Deputy Commissioner of the Office of the Professions (OP) retired, and that David Hamilton is the Acting Deputy Commissioner of OP. She stated that OP published content on its website regarding the histotechnology profession and molecular testing training programs and that OP staff have begun to review applications for histotechnologist licenses and molecular testing training programs. Ms. Sullivan noted that the proposed regulations that update education requirements for licensure qualifying programs for clinical laboratory technology professions were published in the New York State Register for a 60-day comment period. She added that regulations may be adopted as early as March 2024. Ms. Sullivan described recent efforts to recruit additional Board Members and noted that she planned to recommend that the Regents appoint to the CLT Board a clinical laboratory technologist with a restricted license.

Presentation on NYSED's outreach efforts for Clinical Laboratory Technology and other Professional Careers by Kellie Murphy, Supervisor of Professions Connections

Ms. Murphy provided a detailed description of OP's licensed professions outreach program, which is designed to encourage high school students and others to consider a career as a licensed clinical laboratory technology practitioner as well as other licensed professions. She shared with Board Members OP's written materials describing the clinical laboratory technology professions, which are used in outreach to students are available on the State Education Department website. Board Members provided feedback on OP's written materials. Ms. Murphy agreed to

draft written information to educate students and others on the histotechnology profession and restricted licenses and revise OP's written materials that emphasize the numerous pathways for entry into each clinical laboratory profession. Ms. Murphy also described OP's use of social media to inform the public about licensed professions, including clinical laboratory technology professions. Board Members discussed the benefits of OP reaching out directly to school counselors with information regarding the clinical laboratory technology professions and ideas for making the outreach materials more exciting and interesting to students.

Presentation on recent changes to federal regulations that implement the Clinical Laboratory Improvement Amendments of 1988 (CLIA) by Beverly Rausch, Director of Clinical Laboratory Evaluation Program, Wadsworth Center Laboratories

Ms. Rausch provided an overview of revisions to CLIA regulations (42 CFR Part 493), which were recently adopted. Most regulatory changes will become effective December 28, 2024. Ms. Rausch described revised regulations provide for more flexible requirements for histocompatibility testing, as well as changes to the qualifications and responsibilities of clinical laboratory personnel (including technical supervisors) and other staff who may perform lab testing (RNs). Ms. Sullivan clarified that an RN may (pursuant to a valid medical order) perform lab testing incidental to providing care to their patients, provided that it is not prohibited by federal and state law. Ms. Rausch added that to perform high complexity tests, the RN must meet the education and experience requirements set forth in CLIA regulations for high complexity testing. Ms. Sullivan confirmed that in a New York permitted clinical laboratory, it is not within the scope of practice of RNs or LPNs to perform clinical laboratory tests unrelated to their patient care responsibilities. Ms. Rausch stated that the Department of Health may revise regulations (10 NYCRR Part 19) to conform with the new federal CLIA regulations. She noted that the proposed regulatory changes to 10 NYCRR Part 19 may include a certificate of qualification for "technical supervisors" or "technical directors

Discussion of Restricted Licenses in Stem Cell Processes

Ms. Sullivan noted that there have been many recent scientific advances in the field of cellular therapies and an expansion in the use of human stem cells in medical care. She requested input from Board Members to define the scope of services authorized by a Restricted License in Stem Cell Processes that reflect current clinical laboratory standards and practices. She provided Board Members with a document that included questions regarding that the Board Members had discussed the matter and suggested that Ms. Sullivan invite an expert in Stem Cell processing to speak at a future CLT Board meeting, to describe current clinical laboratory standards and practices in the field of stem cell processing. Ms. Kathleen Crowley offered to recommend experts in the field of stem cell processing to speak at an upcoming meeting. Ms. Crowley and Ms. Jennine Wright agreed to work on the draft for the Stem Cell training programs.

Meeting adjourned at 12:30PM.