

CHAPTER 725
(House Bill 675)

AN ACT to repeal and re-enact, with amendments, Section 34 of Article 43 of the Annotated Code of Maryland (1965 Replacement Volume), title "Health," subtitle "Miscellaneous Provisions," to require THAT the State Board of Health and Mental Hygiene establish minimum standards and qualifications and license laboratories of the State which make examinations in connection with diagnosis and control of human diseases, providing a power of revocation of licenses and penalties for unlicensed operation of said laboratories AND TO EXCEPT SOME LABORATORIES AND LABORATORY DIRECTORS FROM THESE REQUIREMENTS UNDER CERTAIN CONDITIONS, AND FURTHER PROVIDING THAT NO REPRESENTATION OR SERVICE SHALL BE PERFORMED IN THIS STATE ON BEHALF OF ANY LABORATORY NOT SITUATED IN THIS STATE UNLESS SUCH LABORATORY MEETS THE MINIMUM STANDARDS AND QUALIFICATIONS PROMULGATED BY THE STATE BOARD OF HEALTH AND MENTAL HYGIENE UNDER THE AUTHORITY OF THIS SECTION, AND MAKING UNLAWFUL THE SOLICITATION OR ADVERTISING ON BEHALF OF ANY LABORATORY COVERED BY THIS SECTION.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 34 of Article 43 of the Annotated Code of Maryland (1965 Replacement Volume), title "health," subtitle "Miscellaneous Provisions," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

34.

(A) The State Board of Health and Mental Hygiene [is hereby authorized and empowered to] shall establish such minimum standards and qualifications [as it may consider necessary] for any laboratories in the counties of the State and in Baltimore City, which make examinations in connection with the diagnosis and control of human diseases[.] as it may consider necessary to assure to the citizens of the State safe and reliable laboratory services, and shall adopt and promulgate rules and regulations for this purpose. Any person, partnership, association, or corporation desiring to open or maintain such a laboratory except a physician performing laboratory examinations on his own patients shall file with the Board an application setting forth the name of the owner, the type of laboratory services to be performed, and such other information as the Board may require; the Board shall cause an inspection to be made and, if in compliance with minimum requirements, it shall issue a permit to operate. The Board shall conduct periodic inspections to assure continuing compliance. No person, partnership, association or corporation shall operate such a laboratory without such a permit; the Board is authorized and empowered to refuse to issue, to suspend or to revoke a permit to operate, if, after inspection and due notice, a laboratory fails to comply with minimum standards or qualifications or with the provisions of any rules or regulations regularly adopted by the Board. ~~Any person operating such a labora-~~