

~~(5) -- THE DEPARTMENT OR AN ORGANIZATION APPROVED BY THE SECRETARY SHALL CONDUCT THE PROFICIENCY TESTING PROGRAM FOR MEDICAL LABORATORIES.~~

(6) (4) A MEDICAL LABORATORY SHALL PAY THE DEPARTMENT A FEE ESTABLISHED BY THE SECRETARY FOR TO COVER THE COST OF THE STATE CYTOLOGY PROFICIENCY TEST TESTING PROGRAM UNDER THIS SECTION.

(5) THE DEPARTMENT OR AN ORGANIZATION APPROVED BY THE SECRETARY SHALL CONDUCT THE PROFICIENCY TESTING PROGRAM FOR ALL CYTOLOGY LABORATORIES.

17-205.

(a) Except as otherwise provided in this subtitle, a person shall hold a permit issued by the Secretary before the person may:

- (1) Operate a medical laboratory in this State; or
- (2) Represent or service in this State any medical laboratory that is outside this State.

(b) This section does not apply to a physician or a group of not more than 3 physicians. The Secretary may grant an exception to the permit requirements of this subtitle for each group of more than 3 physicians if each physician in the group personally:

- (1) Performs or supervises medical laboratory procedures only for the physician's patients or patients of the group;
- (2) Performs only limited laboratory examinations as set forth by the Secretary under this subtitle's rules and regulations; and
- (3) Continues to meet the requirements under § 17-212 of this subtitle.

17-212.

(a) A physician or group practice that is exempted from the permit requirements of this subtitle shall:

- (1) Demonstrate satisfactory performance in a proficiency testing program in applicable laboratory procedures before the physician performs any medical laboratory procedure; or