

(b) (1) The Department shall establish [the] standards for [demonstrating satisfactory performance in the] proficiency testing [program] THAT INCLUDE:

(I) A LIST OF TESTS DEEMED EXEMPT FROM PROFICIENCY TESTING;

(II) CRITERIA USED TO EVALUATE SATISFACTORY PERFORMANCE; AND

(III) CRITERIA THAT A PROFICIENCY TESTING PROGRAM ~~MOST~~ MUST MEET BEFORE IT CAN BE DESIGNATED AS AN APPROVED PROGRAM.

(2) The Department or an organization approved by the Secretary shall conduct the proficiency testing program.

(3) All cytology proficiency tests conducted under the proficiency testing program shall be handcarried on site and under the supervision of an official of the [Laboratory] LABORATORIES Administration of the Department of Health and Mental Hygiene, or an organization approved by the Secretary.

[(c) A physician shall pay to the Department the test fee set by the Secretary.]

[(d) If a physician fails to demonstrate satisfactory performance in a proficiency testing program, the Department shall notify the State Board of Physician Quality Assurance.]

SECTION 2. AND BE IT FURTHER ENACTED, That the:

(a) The Secretary of Health and Mental Hygiene shall establish a Laboratory Advisory Committee to advise the Secretary on matters relating to implementation of the provisions of Title 17, Subtitle 2 of the Health - General Article. The Advisory Committee shall have at:

(1) At least the following representatives appointed biennially from a list of eligibles submitted by the Medical and Chirurgical Faculty of the State of Maryland:

(1) (i) 1 member of the American Academy of Family Practitioners;

(2) (ii) 1 member of the American Academy of Pediatrics;

(3) (iii) 1 member of the American Society of Internal Medicine;