

(2) THE REGULATIONS SHALL CONTAIN THE STANDARDS AND REQUIREMENTS THAT THE SECRETARY CONSIDERS NECESSARY TO ASSURE THE CITIZENS OF THE STATE THAT FORENSIC LABORATORIES PROVIDE SAFE, RELIABLE, AND ACCURATE SERVICES.

(3) THE REGULATIONS SHALL:

(I) REQUIRE THE DIRECTOR OF A FORENSIC LABORATORY TO ESTABLISH AND ADMINISTER AN ONGOING QUALITY ASSURANCE PROGRAM USING STANDARDS ACCEPTABLE TO THE SECRETARY;

(II) REQUIRE THE DIRECTOR OF A FORENSIC LABORATORY TO RETAIN ALL CASE FILES FOR AT LEAST 10 YEARS; ~~AND~~

(III) ESTABLISH QUALIFICATIONS FOR THE PERSONNEL OF FORENSIC LABORATORIES;

(IV) ESTABLISH PROCEDURES FOR VERIFYING THE BACKGROUND AND EDUCATION OF THE PERSONNEL OF FORENSIC LABORATORIES;

(V) REQUIRE THE SECRETARY TO CHARGE FEES THAT MAY NOT EXCEED THE ACTUAL DIRECT AND INDIRECT COSTS TO THE DEPARTMENT TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE; AND

~~(III)~~ (VI) ESTABLISH ANY ADDITIONAL STANDARDS THAT THE SECRETARY CONSIDERS NECESSARY TO ASSURE THAT FORENSIC LABORATORIES PROVIDE ~~SAFE~~ ACCURATE AND RELIABLE SERVICES.

(B) (1) ~~AN INDIVIDUAL WHO EXAMINES OR ANALYZES FORENSIC SPECIMENS ON BEHALF OF A LICENSED FORENSIC LABORATORY SHALL DEMONSTRATE SATISFACTORY PERFORMANCE IN AN APPROVED PROFICIENCY TESTING PROGRAM SPECIFICALLY RELATED TO THE PARTICULAR TESTING OR ANALYSIS BEING PERFORMED~~ A FORENSIC LABORATORY THAT EXAMINES OR ANALYZES PHYSICAL EVIDENCE SHALL DEMONSTRATE SATISFACTORY PERFORMANCE IN AN APPROVED PROFICIENCY TESTING PROGRAM SPECIFICALLY RELATED TO THE PARTICULAR FORENSIC ANALYSIS BEING PERFORMED.

(2) THE SECRETARY SHALL ADOPT REGULATIONS FOR THE FORENSIC PROFICIENCY TESTING PROGRAM THAT: