

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#); [Brittany Roberson](#)
Subject: FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)
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-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Thursday, June 12, 2014 10:26 AM
To: Sunset Advisory Commission
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Thursday, June 12, 2014 - 10:26

Agency: DEPARTMENT STATE HEALTH SERVICES DSHS

First Name: Katie

Last Name: Bennett

Title: Assistant Professor

Organization you are affiliated with: Texas Tech University Health Sciences Center

City: Lubbock

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

The recommendation on DSHS report page 47 that several currently licensed allied health professions should be deregulated by using the lack of licensure of medical laboratory professionals as justification should be reassessed. This statement implies that the performance and quality of Texas labs is acceptable. Texas is number 1 in the nation for CLIA-sanctioned labs six years running. In 2012, seven Texas labs had their CLIA licenses revoked or suspended. That means that these labs had significant deficiencies that were not corrected for 2-3 YEARS before ultimately being shut down. FOUR of these labs were pediatric clinics! This represents HIGH risk to public health and inadequate regulation. To suggest that other allied health professionals should follow the under-regulated standards set for laboratory professionals is NOT the appropriate recommendation. I oppose the recommendation that licensure is not needed for medical laboratory professionals performing lab tests that directly impacts public health.

It is not acceptable for a medical profession that plays such a pivotal role in the diagnosis and management of patient health to remain unlicensed.

Although the clinical laboratory science field has national certification exams, there is no requirement for laboratory employers to hire employees with these certifications. The CLIA regulations do not have an adequate educational requirement for performing highly complex techniques that have a direct impact on patient care. Therefore, un-certified and potentially under-qualified laboratory personnel in Texas are performing the testing of our own medical specimens, as well as those of our children, elderly family members, husbands, wives. This is a great risk to the health of all Texans.

Any Alternative or New Recommendations on This Agency: The Department of State Health Services and all

clinical laboratories in the state need licensed laboratory personnel performing laboratory tests that impact public health. Certification and education equate quality; however, certification is not mandatory in Texas. The Clinical Laboratory Improvement Act (CLIA) requires a high school education for personnel performing moderately complex laboratory tests such as microscopically analyzing a blood smear to determine if a patient has malignant cells and performing blood typing for life or death blood transfusions. Lab testing requires expertise that is NOT provided in high school. Texas has had the highest number of CLIA sanctioned labs in the country for the last 6 years. Clearly, the status quo is not working. I recommend licensure for clinical laboratory professionals that are performing lab testing in clinical and public health labs.

My Comment Will Be Made Public: I agree