

Thomas Obermeyer

From: Heidi Mannion <heidi_mannion@hotmail.com>
Sent: Thursday, December 29, 2011 7:39 AM
To: Thomas Obermeyer
Subject: RE: Grandfather clause
Attachments: Letter Department of Commerce.docx

Tom,
The grandfather clause allows them to become licensed without certification and is based on their education, clinical training and work experience. For example, a person has a bachelor's degree, HEW certificate and has been working as a medical laboratory scientist in Alaska for the last five years. He completes the licensure application and his employer provides a letter stating that he has been successfully working as a medical laboratory scientist. The Board and the Department will review the documents and if they approve he will be licensed as a medical laboratory scientist. To renew his license he would have to provide evidence of continuing competency every three years to the Department of Commerce. He will not have to become certified. The grandfather clause is designed to prevent loss of work for those who are already working in Alaska. The grandfather clause will only affect those that have been working in Alaska prior to the bill becoming effective and they can only be licensed without certification in the category they were approved for when the grandfather clause was in effect. For example, if someone was approved as a medical laboratory technician under the grandfather clause, they would have to become certified in order to get licensed as a medical laboratory scientist. The one year time frame is to provide sufficient time for the Department and Board to review the applications. I have attached the document that I sent to the Department of Commerce.

Heidi

From: Thomas Obermeyer@legis.state.ak.us
To: heidi_mannion@hotmail.com
Subject: RE: Grandfather clause
Date: Thu, 29 Dec 2011 00:53:12 +0000

Heidi,
Regarding the "grandfather" clause:

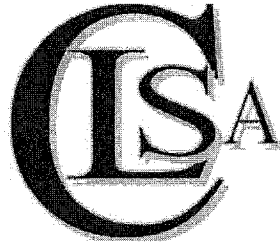
Is one (1) year enough time for experienced practicing laboratory professionals who lack certifications to obtain certification and licensure?

Tom Obermeyer

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Chair, Senate Health & Social Services Committee;
Vice-Chair, Senate Education Committee

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TO: Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing
Director: Don Habeger

FROM: Heidi Mannion, PhD MLS (ASCP)^{cm}
Chair Licensure Committee
Clinical Laboratory Scientists of Alaska

SUBJECT: Professional licensing of Medical Laboratory Science Professionals

DATE: December 28, 2011

It is well known that 70% of medical decisions are based on laboratory test results. Laboratory professionals use invasive procedures to collect blood samples and perform tests that will help to determine if a patient has an infection, anemia, leukemia, diabetes, cancer and other diseases. They also help monitor drugs to prevent overdoses, find compatible blood for transfusions and perform tests to identify agents used in bioterrorism. Laboratory tests performed by unqualified practitioners may result in errors that can lead to inaccurate diagnosis, improper treatment and even death.

The justification given by advocates of occupational/professional licensure laws is that it protects the public from significant harm caused by incompetent or poorly trained members of an occupational/professional group. Currently there is inconsistency in occupational/professional licensing in Alaska. Barbers, hairdressers, veterinary technicians, dispensing opticians, geologists, and most health care professionals are licensed in Alaska. Medical laboratory science professionals and radiologic technologists are two of the health care professions not licensed by the state.

The Clinical Laboratory Scientist of Alaska (CLSA) Licensure Committee has requested that Senator Davis sponsor an "Act relating to the licensing of medical laboratory science professionals; and providing for an effective date" this session. Senator Davis has agreed to sponsor the bill. A draft of the bill that has been sent to her legal department for review is attached. Although there was not a bill submitted last year, Senator Davis and Representative Crawford sponsored bills for the licensing of clinical laboratory science professionals in the twenty-fifth and twenty-sixth legislative sessions.

When the bills were first submitted there was a great deal of confusion over the titles used by laboratory professionals. The recent merger of two of the major credentialing agencies ASCP and NCA has resulted in fewer titles being used by laboratory professionals. Currently there are two major credentialing agencies: ASCP and AMT. Titles used by these agencies include: Medical Laboratory

Scientist (ASCP)/Medical Technologist (AMT); Medical Laboratory Technician (ASCP)/Medical Lab Technician (AMT); Medical Lab Assistant (AMT) and Phlebotomy Technician (ASCP)/Phlebotomist (AMT).

The major credentialing agencies verify an applicant's education and clinical training and provide a competency based exam for initial certification. The credentialing agencies now require evidence of continuing competency every three years in order to recertify. NCA always required recertification every 3 years. Prior to 2004 ASCP did not require recertification; however they now require recertification every 3 years and allow/ encourage participation in their Certificate Maintenance Program and voluntary recertification for those certified prior to 2004. AMT did not require recertification prior to 2006; they also allow /encourage participation in their Certification Continuation Program and voluntary recertification. There are currently 13 States and Puerto Rico that require licensure for medical laboratory professionals. To control costs these states use approved certification exams in place of a State administered exam. To control costs even further, we are recommending that the Department of Commerce, Community, and Economic Development issue a license to an applicant for licensure as a medical laboratory scientist, medical laboratory technician, medical laboratory assistant or phlebotomy technician if:

- Applicant submits an application on the form provided by the department,
- Pays the required fee, and
- Provides evidence satisfactory to the department that the applicant is competent, as evidenced by the applicant's certification by a credentialing agency or **organization approved by the department in consultation with the board.**

Laboratory medicine is a dynamic field which requires participation in continuing education to maintain competence. Instead of having applicants submit proof of continuing competency to the department, we are recommending that the department require evidence of recertification for license renewal. Applicants will have to submit their continuing education to the credentialing agency for approval in order to be recertified. Recertification is done every three years therefore we recommend licensure renewal to be done every three years as well. The credentialing agencies have a system in place to verify certification to prevent fraud.

The major credentialing agencies to be considered by department in consultation with the board include:

American Society of Clinical Pathology Board of Certification
<http://www.ascp.org/Board-of-Certification>

American Medical Technologist
<http://www.americanmedtech.org/Certification/WhyCertifywithAMT.aspx>

There are several other agencies that certify phlebotomists. The department in consultation with the board will determine if any other credentialing agencies are acceptable.

The major changes made to this bill as compared to previous bills include the following:

- Change in titles to match those used after the merger of ASCP and NCA

- Exemption for Cytology and Histology technicians and technologists
- Grandfather clause for currently employed laboratory professionals effective for 1 year
- Exemption for contract employees

Cost saving measures:

- Requiring certification by selected credentialing agencies eliminates need for the department to verify education and clinical training and eliminates the need for a state licensure exam.
- Requiring recertification every 3 years by selected credentialing agencies eliminates the need for the department to verify continuing competency.
- Using a volunteer advisory board and audiovisual technology will further reduce costs.
- The grandfather clause will result in additional costs the first year that the bill is effective. The department in consultation with the board will review applications of currently employed laboratory professionals who are not certified by the approved credentialing agencies to determine at what level they should be licensed based on their education, clinical training and current work experience. The department/board will have to establish continuing competency requirements for those licensed under the grandfather clause and will have to review the evidence of continuing competency submitted by applicants licensed under the grandfather clause when they apply to renew their license. Applicants will not be licensed under this clause after the first year. Eventually all licensed medical laboratory professionals will be certified and the department/board will no longer be required to review evidence of continuing competency.

Department of Labor Statistics on the number of Clinical Laboratory Professionals in Alaska

Laboratory Profession	Number Employed in AK-2008	Average Salary in AK
Phlebotomist	Not tracked by the department of labor	
Clinical Assistant	Not tracked by the department of labor	
Medical Laboratory Technician 29-2012	236	\$2,660
Medical Technologist 29-2011	288	\$5,336

Please contact me if you have any questions or concerns regarding the proposed bill.

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