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H. R. 6118

One Hundred Twelfth Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the third day of January, two thousand and twelve

An Act

To amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Taking Essential Steps for Testing Act of 2012".

SEC. 2. SUSPENSION, REVOCATION, AND LIMITATION OF LABORATORY CERTIFICATION.

Section 353 of the Public Health Service Act (42 U.S.C. 263a) is amended—

(1) in subsection (d)(1)(E), by inserting ", except that no proficiency testing sample shall be referred to another laboratory for analysis as prohibited under subsection (i)(4)" before the period at the end; and

(2) in subsection (i)—

(A) in paragraph (3), by inserting before the period at the end of the first sentence the following: ", except that if the revocation occurs pursuant to paragraph (4) the Secretary may substitute intermediate sanctions under subsection (h) instead of the 2-year prohibition against ownership or operation which would otherwise apply under this paragraph"; and

(B) in paragraph (4), by striking "shall" the first place it appears and inserting "may".

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.