Calendar No. 520

112TH CONGRESS
2D Session

S. 3391

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

IN THE SENATE OF THE UNITED STATES

JULY 17, 2012

Ms. Klobuchar (for herself, Mrs. Shaheen, Mr. Boozman, Mr. Portman, Mr. Franken, Mr. Burr, and Mr. Brown of Ohio) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

SEPTEMBER 19, 2012

Reported by Mr. Harkin, without amendment

A BILL

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

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Taking Essential Steps for Testing Act” or the “TEST Act”.

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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”.
A BILL

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