

112TH CONGRESS
2D SESSION

S. _____

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

Ms. KLOBUCHAR (for herself, Mrs. SHAHEEN, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on _____

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
5 for Testing Act” or the “TEST Act”.

6 **SEC. 2. SUSPENSION, REVOCATION, AND LIMITATION OF**
7 **LABORATORY CERTIFICATION.**

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

1 (1) in subsection (d)(1)(E), by inserting “, ex-
2 cept that no proficiency testing sample shall be re-
3 ferred to another laboratory for analysis as prohib-
4 ited under subsection (i)(4)” before the period at the
5 end; and

6 (2) in subsection (i)—

7 (A) in paragraph (3), by inserting before
8 the period at the end of the first sentence the
9 following: “, except that if the revocation occurs
10 pursuant to paragraph (4) the Secretary may
11 substitute intermediate sanctions under sub-
12 section (h) instead of the 2-year prohibition
13 against ownership or operation which would
14 otherwise apply under this paragraph”; and

15 (B) in paragraph (4), by striking “shall”
16 the first place it appears and inserting “may”.