

Compilation of Codes, Rules and Regulations of the State of New York Currentness  
Title 10. Department of Health  
Chapter II. Administrative Rules and Regulations  
Subchapter D. Laboratories  
Part 58. Clinical Laboratories and Blood Banks  
Subpart 58-1. Clinical Laboratories (Refs & Annos)

10 NYCRR 58-1.4

Section 58-1.4. Qualifications of laboratory supervisor

The laboratory supervisor must meet one of the following requirements:

(a) The supervisor is a physician licensed to practice medicine or osteopathy in the State of New York or an individual who has earned a doctoral degree from an accredited institution with a chemical, physical or biological science as his major subject (*accredited*, as used herein, refers to accreditation by a nationally recognized accrediting agency or association, as determined by the United States Commissioner of Education). The supervisor shall, subsequent to graduation, have had at least two years' experience in one of the laboratory specialties in a clinical laboratory or blood bank having a director at the doctoral level. The clinical laboratory or blood bank shall be part of a hospital, a health department, university, medical research institution, or other institution which provides equivalent training.

(b) The supervisor holds a degree of master of arts or master of science from an accredited institution with a major in one of the chemical, physical or biological sciences and, subsequent to graduation, has had at least four years of pertinent laboratory experience of which not less than two years have been spent working in the designated laboratory specialty in a clinical laboratory having a director at the doctoral level. The clinical laboratory or blood bank shall be part of a hospital, a health department, university, medical research institution or other institution which provides equivalent training.

(c) The supervisor is qualified as a medical technologist pursuant to the provisions of section 58-1.5(b) of this Subpart and has had at least six years of pertinent clinical laboratory experience subsequent to qualifying of which at least two years have been spent working in a clinical laboratory having a director at the doctoral level. The clinical laboratory or blood bank shall be part of a hospital, university, health department, medical research institution or other institution which provides equivalent training.

(d) The supervisor is qualified as a cytotechnologist pursuant to the provisions of section 58-1.5(c) of this Subpart and subsequent to qualifying, has had at least four years of pertinent clinical laboratory experience in cytotechnology in a laboratory having a doctoral level director qualified in cytopathology. The clinical laboratory shall be part of a hospital, health department, university, medical research institution, or other institution which provides equivalent training.

(e) With respect to individuals first qualifying prior to April 1, 1972, an exception to the requirements in subdivision (a), (b) or (c) of this section may be made if:

(1) the supervisor was performing the duties of a clinical laboratory supervisor at any time between July 1, 1961 and September 1, 1971; and

(2) the supervisor has had at least 15 years of pertinent clinical laboratory experience prior to September 1, 1971: provided, that a minimum of 30 semester hours of credit toward a bachelor's degree with a chemical, physical or a biological science as his major subject; or 30 semester hours in an approved school of medical technology shall reduce the required years of experience by two years, with any additional hours further reducing the required years of experience at the rate of 15 hours for one year; and

(3) he has performed the duties of a supervisor for at least two years during the qualifying 15 years in:

(i) a clinical laboratory having a director at the doctoral level, of a hospital, university, health department or medical research institution; or

(ii) in a laboratory approved under the Medicare supplementary medical insurance program, provided also, that where qualifying years in a laboratory described in subparagraph (i) of this paragraph are obtained after January 30, 1969, the laboratory meets applicable conditions under the Medicare health insurance program, or, under title 42, *Code of Federal Regulations*, part 74, the latter being the regulations issued pursuant to the Federal Clinical Laboratories Improvement Act of 1967.

#### Credits

Sec. added by renum. 58.4, filed Dec. 28, 1971; amds. filed: July 28, 1978; Sept. 28, 1981 eff. Sept. 28, 1981.

Current with amendments included in the New York State Register, Volume XLI, Issue 24 dated June 12, 2019. Court rules under Title 22 may be more current.

10 NYCRR 58-1.4, 10 NY ADC 58-1.4