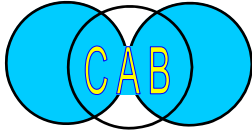

ANALYSIS

California Association of Bioanalysts



The Voice of the Bioanalyst, Jan 2000



a non-profit corporation

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President's Message:

Dear Members and Friends of CAB:

Happy New Year, Decade, Century and Millennium. I hope you all had time to rest and enjoy the Holidays with your families or significant others. While we are looking forward to many new opportunities at this new beginning, it is proper to reflect a little on our many significant

accomplishments over the last year. Our joint Convention with AAB in San Diego was a terrific success. While sharing in an informative educational experience and gaining our CEUs, we also met many old friends and new acquaintances since the merging of AAB and ISCLT.

Our Mid-Year Meeting in Sacramento was likewise a profitable experience. We had our own program on "How to Become a Bioanalyst" which was well received. In addition, CAB had a booth in the exhibits area where we met and exchanged ideas with prospective members. I believe the booth experience was very rewarding and must be continued in order to get the message out about the continuing opportunities in Bioanalysis. I am happy to report that our last two regular meetings were very well attended. We had excellent speakers at both meetings. The year has ended on a sad note however, with the passing of one of CAB's most active members; Bob Boatwright. Gail has sent CAB a thank you card with note for

the gift basket sent to her by the organization.

Now that we have survived New Year, it's time to set new goals for CAB. Working together, our dedicated members continue to influence the changes in our profession and to secure CAB's position as a leader in the laboratory field. I am proud to be a CAB member and have the continued opportunity to work with such a talented and motivated group. Thanks to each of you for your dedication to our work.



Best wishes for health and prosperity in

— Richard

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Compliance-1999”, presented by laboratory consultant Thomas Barrow, fair warning was given to anyone acting as laboratory director that they may be jointly and severally responsible for any and all civil money penalties (CMP) which are levied against any laboratories which they represent.

Currently, state law holds the laboratory director responsible with the owner for the overall operation and administration of the laboratory. This responsibility also makes the laboratory director equally liable for alleged abuses performed by the laboratory and if CMP’S are levied against the owner, the laboratory director is also being targeted and held responsible for payment of these fines.

Up to now, most directors thought that the worst that could happen if directing a lab that was closed down for any wrong doing, was that you could lose your privilege to direct a laboratory for up to 2 years.

Now, some directors are facing CMP’s that are in the hundreds of thousands of dollars.

Over 50 laboratories have been cited and are being penalized with CMP’s. For some of these laboratories, the owners have vanished, they’ve left the country or are in hiding, leaving the unsuspecting director holding the bag.

The general advice given to laboratory directors these days is beware of who you represent. If you don’t know the owner personally try to get some background information or references so that you know something about the owner of the laboratory.

There seems to be a new directive these days that anybody is suspect, including lab directors, of committing fraud and it would be prudent upon ourselves to minimize our risk of persecution by carefully screening laboratories which we act as directors for.

Mark Alcantar - *Southern Section Chair*

Editors Note: Tom Barrow, MS., Consultant through his twice annual Continuing Education **Laboratory Compliance Seminars** has been instrumental in providing a forum to disseminate the latest information in regards to Medicare and Medi-Cal regulations, State Exemption and fraud investigations, fraud abuses and activities, Medi-Cal audits, and survival techniques for laboratory directors, owners, and managers. The seminars have been typically given on a Friday and repeated Saturday. Both sessions have been packed, with an excess of 80 attendees. Tom is the main speaker with guest speakers Darron Tooch, Attorney; Tommy Barr, Examiner/Fraud Investigator; and other DHS personnel. The CEU program is also well-attended by local LFS personnel.

I would encourage other Bioanalysts to attend these highly informative sessions.



SCIENCE

“Furnished as all Europe now is with Academies of Science, with nice instruments and the spirit of experiment, the progress of human knowledge will be rapid and discoveries made of which we have at present no conception. I begin to be almost sorry I was born so soon, since I cannot have the happiness of knowing what will be known a hundred years hence.”

LEGISLATIVE UPDATE

By the close of the legislative session earlier this fall, all four bills presented in the last edition of "Analysis" had been signed into law by Governor Gray Davis.

Although each bill previously was discussed in greater detail, following is a recap of expected outcomes:

SB 585 (Chesbro)

Effective January 1, 2000, this bill expands California's "Physician Performed Microscopy" testing category to resemble CLIA's "Provider-Performed Microscopy."

SB 765 (Schiff) and AB 1558 (Wildman)

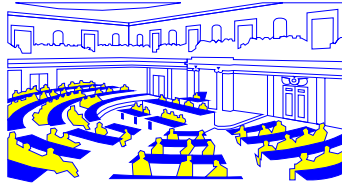
Effective July 1, 2000, all biological specimens left in a public location outside the custodial control of the person or entity licensed under the healing arts (presumably for pickup by a laboratory courier) must be secured in a container that is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device.

Containers put into use on or after January 1, 2001, must be labeled with the words "Caution: Biohazardous Material - Please Do Not Touch or Handle," or words of similar meaning.

On and after January 1, 2001, the California Department of Health Services (DHS) will provide to all licensed laboratories a form in triplicate to be used by employees, agents, and couriers of those licensed clinical labs to give notice to the person or entity referring the specimens as well as to the California Department of Consumer Affairs when a specimen storage container has been improperly secured as described above. However, such notification shall not be required if DHS has not provided the appropriate forms.

AB 1557 (Migden)

By January 1, 2001, the California Department of Health Services (DHS) must adopt regulations to certify unlicensed personnel in clinical laboratories as a "certified phlebotomy technician (CPT)." The CPT would, at a minimum, be authorized to perform venipuncture or skin puncture to withdraw blood or for clinical laboratory test purposes. Some CPT's (with additional training as expected to be prescribed by DHS



regulations) may be authorized to perform arterial puncture, as well.

Here are some points to keep in mind:

1. Until regulations are adopted, this new law effectively cannot be implemented.
2. Although DHS has one year in which to adopt implementing regulations, the expectation is that the new rules will be in place within the first half of year 2000.
3. Since there will be no change in the way unlicensed laboratory personnel are certified until adoption of the new phlebotomy regulations, licensed physicians and bioanalysts may continue to certify satisfactory completion of training of such personnel, and that signed certificate will continue to authorize them to perform skin puncture and venipuncture in any California licensed clinical laboratory, provided they can demonstrate competency to the satisfaction of the laboratory director.
4. However, on the day the new regulations officially are adopted pursuant to AB 1557, the signature of a physician or bioanalyst on any certificate of completion of training on or after that date no longer will be sufficient to authorize unlicensed personnel to perform skin puncture or venipuncture. Instead, such newly trained personnel will have to satisfy whatever requirements are indicated in the new regulations and be certified by DHS.
5. Unlicensed personnel certified to perform skin puncture and venipuncture before official adoption of the new regulations will have up to three (3) years to meet the new requirements AFTER those new regulations are adopted.
6. It is likely that multiple levels of CPT may be forthcoming in the new regulations, including authorization to perform skin puncture only, venipuncture and skin puncture, arterial puncture, and blood donor phlebotomy.

Robert I. Footlik
Chair, Committee on Legislation



CAB was well-represented at the September, 1999 Mid-year meeting in Sacramento - CAB joined CAMLT and CLMA as well as CCLA and ESC (Engineers and Scientists) for a well attended program entitled "Fast Track To The



CAB members manned and womaned the CAB Convention Booth to let the Laboratory Community know that Bioanalysis is still a viable career path for those willing to pursue it.. Robert Thomas, Bioanalyst (above-right) conducted a special forum entitled "How to Become a Bioanalyst"



Last Great Photo-opportunity of the Century!

A few of our faithful Southern Calif. members at our monthly meeting held at Taix Restaurant in Los Angeles. - The evenings guest speaker was Joe Gutierrez from Thermal Combustion Innovators, Inc. (TCI).

Hope you can join us for our next meeting - Jan 15 th

Highlights of Changes to Chemistry Panels in CPT 2000

1. The Hepatitis Panel 80059 is deleted and a new four test “Acute hepatitis panel” is being added - 80074 to include: (HAAb (IgM), HepbcAb (IgM, HepBsAg, and Hep C Ab)
2. A new renal panel is being added - 80069 (10 automated tests)—Alb., Ca, CO2, Chlor., Creat., Gluc., Inorg. Phos., K, Na, BUN
3. Thyroid Panels 80091 and 80092 are being deleted—(FTI and FTI with TSH)
4. The ALT (SGPT) is being added to the comprehensive metabolic panel—80053 (14 automated tests)
5. The Calcium is being added to the basic metabolic panel-80048 (8 automated tests)
6. The Total Protein is being added to the Hepatic function panel-80076 (7 automated tests)

Medicare will not be implementing these changes until April 1, 2000, so they will have time to change their computer system.

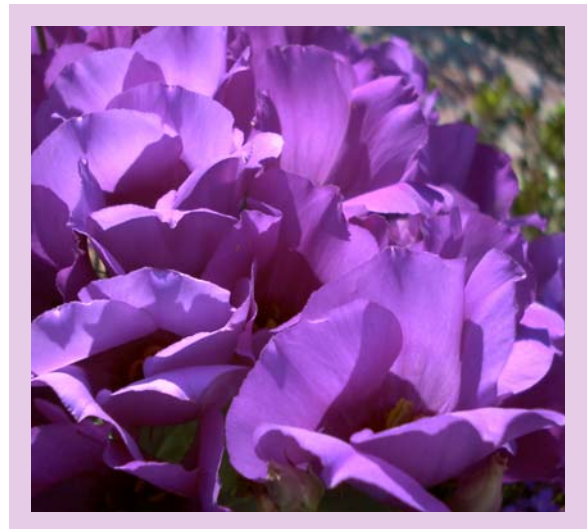
Highlights of Changes in CalOSHA’s Bloodborne Pathogen Standard (implementation July 1, 1999)

1. Hepatitis C needs to be added to the Exposure Control Plan, as a bloodborne pathogen of specific concern.
2. “Safety-engineered” sharps or needleless systems are to be used —(needles, syringes, lancets, scalpels, butterflies, sutures, etc.) unless you have documented that **not** using them is safer than using them.
3. A Sharps Injury Log must be kept with details

about the exposure including the brand name and type of sharp, whether it was “safety engineered”, whether the safety device had been activated, etc.

4. Needlestick and other bloodborne pathogen exposures must be included on your OSHA 200 log
5. You must have documentation that employees were included in the decision about which “safety engineered” devices to use, and that the choice was not determined entirely by cost
6. Established work processes and controls to minimize or eliminate any exposure will need to be evaluated and updated on a regular schedule.

— Peggy Tessier



Flowers

“Flowers ... are a proud assertion that a ray of beauty outvalues all the utilities of the world.”

Ralph Waldo Emerson (1803–82)



Robert John Boatwright
Nov. 19, 1931 - Dec. 15,

We are deeply saddened by the loss of our esteemed colleague, Bob Boatwright, who passed away in December due to complications associated with a lymphoma, and other chronic health conditions.

A huge attendance, including a number of Bioanalysts, showed up for Memorial services held December 18th at the Shadow Hills Presbyterian Church, followed by a reception at the Boatwright home. Bob's wife Gail, Son Craig, Daughter Pam, Mother Katherine, sisters Kay and Cheri, as well as grandchildren and other family members were all present.

Bob held many positions with CAB, including President and Executive Secretary. Bob owned and directed Cogen Laboratory in Beverly Hills for 25 years as well as other laboratories including Bankhead Lab in Whittier. Photo above was taken at Bob's lab at Tower

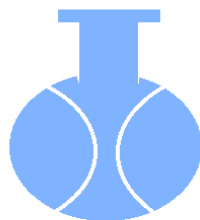


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