

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1619

Clinical Laboratories

SPONSOR(S): Garcia

TIED BILLS:

IDEN./SIM. BILLS: SB 2182

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Health Care Regulation Committee	7 Y, 3 N	Hamrick	Mitchell
2) Health & Families Council			
3)			
4)			
5)			

SUMMARY ANALYSIS

This bill will allow psychologists to order clinical laboratory tests such as urinalysis and blood work as part of their practice in mental health and substance abuse treatment.

Currently, s. 483.181, F.S., states that a clinical laboratory may examine human specimens at the request only of a licensed practitioner or other person authorized by law to use the findings of clinical laboratory examinations.

The bill amends the definition of a licensed practitioner in s. 483.041, F.S., to include licensed professionals in chapter 490, F.S., which is the Psychological Services Act.

The bill expands the scope of practice of psychologists; to the extent they are able to order any of thousands of possible laboratory tests.

The bill takes effect July 1, 2005.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

This bill will allow psychologists to order clinical laboratory tests such as urinalysis and blood work as part of their practice in mental health and substance abuse treatment.

Currently, s. 483.181, F.S., states that a clinical laboratory may examine human specimens at the request only of a licensed practitioner or other person authorized by law to use the findings of clinical laboratory examinations.

The bill amends the definition of a licensed practitioner in s. 483.041, F.S., to include licensed professionals in chapter 490, F.S., which is the Psychological Services Act.

There are approximately 25,000 possible laboratory tests that can be performed.¹ Laboratory testing provides information that will assist in the determination of an individual's overall health, to assist in the diagnosis of a disease and establishment of an appropriate treatment plan.

Background

The Practice of Psychology

Chapter 490, F.S., is cited as the Psychological Services Act. This act licenses individuals who possess a doctoral-level psychological education (Psy.D.) or doctoral degree in psychology (Ed.D.) and school psychologists.

Section 490.003(3), F.S., defines the practice of psychology as the observations, description, evaluation, interpretation, and modification of human behavior. The practice of psychology uses scientific and applied psychological principles, methods, and procedures, for the purpose of describing, preventing, alleviating, or eliminating symptomatic, maladaptive, or undesired behavior and of enhancing interpersonal behavioral health and mental or psychological health.

The section provides that the ethical practice of psychology includes, but is not limited to, psychological testing and the evaluation or assessment of personal characteristics such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning, including evaluation of mental competency to manage one's affairs and to participate in legal proceedings; counseling, psychoanalysis, all forms of psychotherapy, sex therapy, hypnosis, biofeedback, and behavioral analysis and therapy; psychoeducational evaluation, therapy, remediation, and consultation; and use of psychological methods to diagnose and treat mental, nervous, psychological, marital, or emotional disorders, illness, or disability, alcoholism and substance abuse, and disorders of habit or conduct, as well as the psychological aspects of physical illness, accident, injury, or disability, including neuropsychological evaluation, diagnosis, prognosis, etiology, and treatment.

The practice of school psychology includes an assessment, which includes psychoeducational, developmental, and vocational assessment; evaluation and interpretation of intelligence, aptitudes,

¹ The American Society for Clinical Laboratory Science, *Consumer Laboratory Testing Information Page*, <http://www.ascls.org/labtesting/index.asp#HAVE%20A%20QUESTION>

interests, academic achievement, adjustment, and motivations, or any other attributes, in individuals or groups, that relate to learning, educational, or adjustment needs.²

Clinical Laboratory Tests

Many different types of cells and fluids can be tested. Almost all of these cells and fluids may be tested, though the most common specimens are blood and urine. Materials such as sweat, spinal fluid, joint fluid, sputum, hair, feces, bone marrow, tissues and body scrapings are also analyzed.

The types of tests that can be ordered fall in the following 8 categories: blood tests (Hematology), chemistry, microbiology, urinalysis, cytology, histology, immunology, and Immunohematology (Blood Bank). Examples of tests in each of these categories are:³

Blood tests (Hematology)

- Red Blood Count (RBC) - the number of red blood cells to evaluate anemia
- White Blood Count (WBC) - the number of white blood cells to evaluate infection
- Differential Count - the proportions of the different types of white blood cells varies in infection, allergies, etc.
- Platelet Count - the count of the number of these cells which participate in blood clotting
- Coagulation (clotting) studies - bleeding time, prothrombin time and other tests determine the clotting process in the blood
- Hemoglobin - a measure of the oxygen-carrying capacity of the blood

Chemistry

- Sugar (glucose) - the amount of sugar in the blood is a measurement for diabetes mellitus
- Electrolytes (sodium, potassium, chloride and carbon dioxide) - these substances maintain fluid and blood pressure balance and are essential for the function of most body systems
- Enzymes (CK, LD, AST, ALT) - help to diagnose heart and liver diseases
- Cholesterol - high amounts are associated with heart and blood vessel diseases
- Urea Nitrogen - test for kidney function
- Uric Acid - may indicate gout

Microbiology

- Culture - growth of bacteria for the purpose of identification
- Smear/Stain - preliminary evaluation of infection
- Sensitivity test - testing bacteria with antibiotics to determine which drug is most effective

Urinalysis

- Many individual tests make up the urinalysis, such as glucose, blood, bacteria. The physician gains information about the kidneys, liver and other body processes from these tests.

Cytology

- Pap smear - microscopic examination of cells to determine abnormal conditions or malignancy
- Sputum - microscopic evaluation for malignancy or other disorders such as asbestosis

² See s. 490.003, F.S.

³ The American Society for Clinical Laboratory Science, *Consumer Laboratory Testing Information Page*, <http://www.ascls.org/labtesting/index.asp>

Histology

- Biopsy - the removal of a small section of tissue to be studied. The type of cells and their chemical reactions are evaluated.

Immunology

- AIDS test - positive when a person has the AIDS virus
- Pregnancy test - to confirm pregnancy
- Rubella test - for measles

Immunohematology (Blood Bank)

- Blood type and Rh - to identify a person's blood type which can be O, A, B or AB and Rh which can be either positive or negative
- Cross match (compatibility test) - to determine if a unit of blood may be used for a transfusion for a particular patient

C. SECTION DIRECTORY:

Section 1. Amends s. 483.041, F.S., to add individuals licensed under chapter 490, F.S. are deemed a licensed practitioner that may order examinations on materials or specimens under chapter 483, F.S.

Section 2. Provides that the bill take effect July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill may impact health care costs. Lab tests may need to be duplicated by a licensed physician to enable proper diagnosis and treatment for conditions that are out of the scope of practice for psychologists. The bill permits a psychologist to order lab test for any condition such as urinary tract infections, sexually transmitted diseases, or diabetes.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

No additional rulemaking authority is required to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Concerns have been raised that while the proponents purpose for the bill is to allow therapists involved in drug treatment programs to order urinalysis to track compliance with treatment, the drafting of the bill expands the scope of practice of psychologists to order any of thousands of possible laboratory tests.

The Florida Medical Association is concerned that after tests are ordered, interpreted, the results will need to be applied in a meaningful manner to the patient, which to this extent, is out of the scope of practice for psychologist.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES