

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 66 (Delegate Krebs)
Health and Government Operations

Public Health - Glucose Testing - Permit

This bill establishes, with regard to glucose testing, the same requirements, exceptions, and limitations that are currently in place with regard to cholesterol testing. Specifically, the bill requires an individual to obtain a nontransferable permit from the Department of Health and Mental Hygiene (DHMH) before offering to provide a glucose test and conducting the test outside of a permanently located medical laboratory that has been issued (or excepted from obtaining) a permit. The bill also specifies that a glucose testing permit is not required for a licensed medical laboratory that, as set forth in its license, provides tests or services in the discipline of chemistry or health awareness. In addition, the bill prohibits the Secretary of Health and Mental Hygiene from requiring glucose testing personnel who conduct glucose tests to be certified in a medical laboratory specialty. Finally, the bill requires glucose testing to be overseen by a supervisor who is knowledgeable in all aspects of glucose testing services.

DHMH must adopt specified regulations to implement the bill.

Fiscal Summary

State Effect: The bill is not expected to materially affect governmental finances or operations, as discussed below.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Glucose is a type of sugar that the body uses for energy. Glucose testing is used to detect abnormal glucose levels in the blood, which may indicate diabetes.

Regulations require an individual operating a medical laboratory to obtain either a permit or a letter of exception to perform glucose testing. However, an individual operating a temporary medical laboratory, such as a health fair, in order to perform health awareness tests (including glucose testing) is not eligible for a letter of exception and must instead obtain a permit – notwithstanding that glucose testing appears on the list of excepted tests. The Office of Health Care Quality (OHCQ) advises that there are currently 54 active glucose testing permits of this type.

Regulations further require an individual operating a medical laboratory under a permit to submit the relevant applications and fees and to comply with applicable requirements regarding proficiency testing, personnel, surveys, and quality assurance and quality control.

State Fiscal Effect: OHCQ advises that – because a permit is already required for a temporary laboratory, such as a health fair, to perform glucose testing – the bill is not expected to affect the number of permits issued. Accordingly, the bill is not expected to materially affect governmental finances or operations.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): National Institutes of Health, Department of Health and Mental Hygiene, Department of Legislative Services

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mm/mwc

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