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§17–2A–02.

(a) (1) The Secretary shall adopt regulations that set standards and requirements for forensic laboratories.

(2) The regulations shall contain the standards and requirements that the Secretary considers necessary to assure the citizens of the State that forensic laboratories provide safe, reliable, and accurate services.

(3) The regulations shall:

(i) Require the director of a forensic laboratory to establish and administer an ongoing quality assurance program using standards acceptable to the Secretary;

(ii) Require the director of a forensic laboratory to retain all case files for at least 10 years;

(iii) Establish qualifications for the personnel of forensic laboratories;

(iv) Establish procedures for verifying the background and education of the personnel of forensic laboratories; and

(v) Establish any additional standards that the Secretary considers necessary to assure that forensic laboratories provide accurate and reliable services.

(b) (1) A forensic laboratory that examines or analyzes physical evidence shall demonstrate satisfactory performance in an approved proficiency testing program specifically related to the particular forensic analysis being performed.

(2) The Secretary shall adopt regulations for the forensic proficiency testing program that:

(i) Define satisfactory proficiency testing performance; and

(ii) Set standards and requirements that a forensic proficiency testing program shall meet.

(3) The Department shall review a forensic laboratory's proficiency testing program.

(c) To assure compliance with the standards and requirements under this subtitle, the Secretary shall conduct:

(1) An inspection of each forensic laboratory for which a license to operate is sought; and

(2) An inspection of each forensic laboratory for which a license has been issued.

(d) To assure compliance with the standards and requirements under this subtitle, the Secretary may conduct:

(1) A complaint investigation; and

(2) A validation survey of an accredited forensic laboratory.

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