

VETO MESSAGE - No. 247

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 14, entitled:

"AN ACT to amend the education law and the public health law, in relation to out-of-state clinical laboratory practitioners"

NOT APPROVED

This bill would require the Department of Health (DOH), in consultation with the State Education Department (SED), to require personnel in laboratories all over the country who test and process specimens from residents of New York State to meet comparable standards to those required of personnel who are licensed and certified for such activities in New York State. This bill would require DOH to conduct on-site reviews of the credentials of personnel at laboratories across the country, and to maintain records of those onsite reviews.

I fully support the need to maintain high standards for personnel in laboratories irrespective of their geographical location. But expanding such an out-of-state inspection framework to include reviews of staff credentials is a significant undertaking. It would require DOH staff to travel out-of-state to conduct reviews of educational credentials at hundreds of laboratories that test and process specimens from New York State residents. DOH staff would also be required to continually review the educational requirements of laboratory personnel in 49 other states to determine their comparability to New York State's requirements.

Moreover, this bill would require DOH to assume such responsibilities without any accompanying resources to support those efforts. Rather than burden DOH and SED with a wide-ranging directive for which they do not have the funds to implement successfully, I am instructing DOH to continue to focus its efforts on maintaining the quality of laboratory testing.

For these reasons, I am compelled to disapprove the bill.

The bill is disapproved.

(signed) ANDREW M. CUOMO