

2010 -- S 2344

LC01337

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO HEALTH AND SAFETY

Introduced By: Senators Miller, Connors, Ruggerio, C Levesque, and Pichardo

Date Introduced: February 11, 2010

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-16.2-5.1 of the General Laws in Chapter 23-16.2 entitled
2 "Laboratories" is hereby amended to read as follows:

3 **23-16.2-5.1. Payment for services rendered by clinical laboratories -- Commissions,**
4 **rebates, and fees -- Use of laboratory's name. --** (a) It shall be unlawful for any purveyor of
5 clinical laboratory services, directly or indirectly, through any person, firm, corporation, or
6 association, or its officers or agents, to bill or receive payment, reimbursement, compensation, or
7 fee from any person other than the recipient of the services, the recipient being the person upon
8 whom the clinical services have been or will be rendered.

9 (b) The provisions of subsection (a) of this section shall be inapplicable to payment by:

10 (1) A legal relative of the recipient of the services;

11 (2) An insurance carrier designated by the recipient of the services;

12 (3) A hospital on behalf of an in-patient or out-patient of the hospital having been the
13 recipient of the services;

14 (4) One purveyor to another purveyor for actual services rendered;

15 (5) An industrial firm only for its own employees;

16 (6) A trade union health facility only for its registered patients;

17 (7) Governmental agencies and/or their specified public or private agent, agency, or
18 organization on behalf of the recipient of the services.

19 (c) A clinical laboratory shall not offer or give a commission, rebate or other fee, or any

1 [other in-kind service or subsidized service](#), directly or indirectly, to any person as consideration
2 for the referral of a specimen derived from a human body to a clinical laboratory for examination
3 by the laboratory.

4 (d) A clinical laboratory shall not solicit or accept a commission, rebate, or other fee,
5 directly or indirectly, from any person as consideration for the referral of a specimen derived
6 from the human body to a clinical laboratory for examination by the laboratory.

7 (e) A clinical laboratory shall not lend the use of the name of a clinical laboratory or a
8 licensed hospital or clinic, or any other employee of the laboratory or institution, to an unlicensed
9 clinical laboratory.

10 SECTION 2. This act shall take effect upon passage.

=====
LC01337
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY

1 This act would prohibit any in-kind service or subsidized service to any person as
2 consideration for the referral of a specimen derived from a human body.

3 This act would take effect upon passage.

=====
LC01337
=====