

# SENATE . . . . No. 559

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## The Commonwealth of Massachusetts

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SENATE, June 14, 1939.

The committee on Bills in the Third Reading, to whom was referred the House Bill providing for the issuance of certificates of approval of bacteriological laboratories by the department of public health (House, No. 670, amended), report recommending that the same be amended by substituting therefor a new draft entitled "An Act authorizing the State Department of Public Health to issue certificates of approval relative to bacteriological laboratories" (Senate, No. 559), and that, when so amended, the same will be correctly drawn.

For the committee,

NEWLAND H. HOLMES.

## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Thirty-Nine.

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AN ACT AUTHORIZING THE STATE DEPARTMENT OF PUBLIC HEALTH TO ISSUE CERTIFICATES OF APPROVAL RELATIVE TO BACTERIOLOGICAL LABORATORIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter one hundred and eleven of the General  
2 Laws is hereby amended by inserting after section  
3 one hundred and eighty-four, as appearing in the  
4 Tercentenary Edition, the following new section:—  
5 *Section 184A.* The department, at the request of  
6 any person owning or operating a bacteriological  
7 laboratory, may issue a certificate of approval of the  
8 performance at such laboratory of bacteriological or  
9 serological tests set forth in such certificate; pro-  
10 vided, that no such certificate shall be granted here-  
11 under except in accordance with such suitable and  
12 reasonable rules and regulations as the department  
13 shall establish; authority to establish, and from time  
14 to time to alter and amend, such rules and regula-  
15 tions being hereby granted to the department. Rules  
16 and regulations governing approval of such bacterio-  
17 logical laboratories made under authority hereof may  
18 include provisions relative to the location and equip-  
19 ment of such laboratories, the personal and profes-  
20 sional qualifications of the personnel thereof, and the

21 methods employed thereat. The department may  
22 from time to time submit to, or request from, any  
23 such laboratory such specimens for examination as it  
24 may deem necessary to determine whether or not  
25 such laboratory can properly perform such tests. Cer-  
26 tificates of approval issued under authority hereof  
27 shall be valid for one year from their dates of issue  
28 and may be annually renewed. The fee for the issue,  
29 and for each annual renewal, of every such certificate  
30 shall be five dollars; provided, that no such fee shall  
31 be charged or collected on account of any such labo-  
32 ratory established and maintained by the common-  
33 wealth or by any political subdivision thereof. Any  
34 such certificate may be revoked by the department,  
35 after thirty days' notice to such laboratory and the  
36 opportunity to be heard by the department, if in its  
37 judgment the public interest so requires.

38 For the purposes of this section, a bacteriological  
39 laboratory is defined to be a place or establishment  
40 advertised, and maintained or purported to be main-  
41 tained, in whole or in part, for the purpose of accept-  
42 ing for and subjecting to bacteriological or serological  
43 study or analysis, or both, specimens of blood, spu-  
44 tum, urine, feces or other fluids, secretions or excre-  
45 tions of the body of persons ill, or suspected of being  
46 ill, with a disease dangerous to the public health.

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SENATE, June 14, 1939.

Passed to be engrossed.

Sent down for concurrence.

IRVING N. HAYDEN, *Clerk.*

