

[Committee Print]

[SHOWING THE TEXT OF THE BILL AS FORWARDED BY THE SUBCOMMITTEE ON HEALTH ON MARCH 11, 2008]

110TH CONGRESS
1ST SESSION

H. R. 1237

To amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2007

Mr. GORDON of Tennessee (for himself, Mr. PRICE of Georgia, Ms. FOXX, Ms. HERSETH, and Mr. DEAL of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cytology Proficiency
5 Improvement Act of 2008”.

1 **SEC. 2. REVISED STANDARDS FOR QUALITY ASSURANCE IN**
2 **SCREENING AND EVALUATION OF**
3 **GYNECOLOGIC CYTOLOGY PREPARATIONS.**

4 (a) IN GENERAL.—Section 353(f)(4)(B)(iv) of the
5 Public Health Service Act (42 U.S.C. 263a(f)(4)(B)(iv))
6 is amended to read as follows:

7 “(iv) requirements that each clinical
8 laboratory—

9 “(I) ensure that all individuals
10 involved in screening and interpreting
11 cytological preparations at the labora-
12 tory participate annually in a con-
13 tinuing medical education program in
14 gynecologic cytology that—

15 “(aa) is approved by the Ac-
16 crediting Council for Continuing
17 Medical Education or the Amer-
18 ican Academy of Continuing
19 Medical Education; and

20 “(bb) provides each indi-
21 vidual participating in the pro-
22 gram with gynecologic cytological
23 preparations (in the form of ref-
24 erenced glass slides or equivalent
25 technologies) designed to improve

1 the locator, recognition, and in-
2 terpretive skills of the individual;

3 “(II) maintain a record of the cy-
4 tology continuing medical education
5 program results for each individual in-
6 volved in screening and interpreting
7 cytological preparations at the labora-
8 tory;

9 “(III) provide that the laboratory
10 director shall take into account such
11 results and other performance metrics
12 in reviewing the performance of indi-
13 viduals involved in screening and in-
14 terpreting cytological preparations at
15 the laboratory and, when necessary,
16 identify needs for remedial training or
17 a corrective action plan to improve
18 skills; and

19 “(IV) submit the continuing edu-
20 cation program results for each indi-
21 vidual and, if appropriate, plans for
22 corrective action or remedial training
23 in a timely manner to the laboratory’s
24 accrediting organization for purposes
25 of review and on-going monitoring by

1 the accrediting organization, including
2 reviews of the continuing medical edu-
3 cation program results during on-site
4 inspections of the laboratory.”.

5 (b) EFFECTIVE DATE AND IMPLEMENTATION; TER-
6 MINATION OF CURRENT PROGRAM OF INDIVIDUAL PRO-
7 FICIENCY TESTING.—

8 (1) EFFECTIVE DATE AND IMPLEMENTATION.—

9 Except as provided in paragraph (2), the amend-
10 ment made by subsection (a) applies to gynecologic
11 cytology services provided on or after the first day
12 of the first calendar year beginning 1 year or more
13 after the date of the enactment of this Act, and the
14 Secretary of Health and Human Services (hereafter
15 in this subsection referred to as the “Secretary”)
16 shall issue final regulations implementing such
17 amendment not later than 270 days after such date
18 of enactment.

19 (2) TERMINATION OF CURRENT INDIVIDUAL
20 TESTING PROGRAM.—The Secretary of Health and
21 Human Services shall terminate the individual pro-
22 ficiency testing program established pursuant to sec-
23 tion 353(f)(4)(B)(iv) of the Public Health Service
24 Act (42 U.S.C. 263a(f)(4)(B)(iv)), as in effect on
25 the day before the date of the enactment of sub-

1 section (a), at the end of the calendar year which in-
2 cludes the date of enactment of the amendment
3 made by subsection (a).