

**HOUSE . . . . . No. 4377**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Twelve**  
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An Act establishing a board of registration of phlebotomists.

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

1           SECTION 1. Chapter 112 of the General Laws is hereby amended by adding at the end  
2 thereof the following new sections:-

3           Section 236. As used in sections 236 to 238, inclusive, the following words shall, unless  
4 the context clearly means otherwise, have the following meanings:

5           “approved national certification agency”, one of the nationally recognized agencies that  
6 certify phlebotomists by examination, including but not limited to:

7           (i) American Society for Clinical Pathology;

8           (ii) American Medical Technologists, National Credentialing Agency;

9           (iii) American Certification Agency;

10           (iv) be certified as a phlebotomist or its equivalent by national independent organization  
11 whose certification procedures for phlebotomy have been approved by the National Commission  
12 for Certifying Agencies (NCCA);

13           “Phlebotomist”, a person whose responsibilities include, but are not limited to, collecting  
14 blood samples from patients under the instruction of a physician licensed under section 2 of  
15 chapter 112 of the General Laws, separating blood into different test tubes in order for it to be  
16 used in medical tests, accurately labeling said tubes and insuring correct samples are sent to the  
17 laboratory.

18           “Phlebotomy”, the incision into a vein or artery for the purpose of drawing blood.

19           Section 237. No person shall represent himself to be a phlebotomist or in the business of  
20 phlebotomy or use the title phlebotomist in the commonwealth on any sign, title, card, or other  
21 device to indicate that such person is a phlebotomist, unless such person shall have secured from  
22 an approved national certification agency a certificate of registration as a phlebotomist.

23           Section 238. The requirements contained in sections 236 to 238, inclusive, shall not be  
24 construed to prevent any of the following persons from acting within the scope of their  
25 profession:

26           (i) Certified clinical laboratory scientists;

27           (ii) Medical technologists;

28           (iii) Medical laboratory technicians; or

29           (iv) Physicians licensed under section 2 of Chapter 112 of the General laws.

30           Section 239. The commissioner of public health shall promulgate regulations to enforce  
31 sections 236 to 238, inclusive.

32           SECTION 2.

33 (a) The requirements of this act shall take effect three (3) years following enactment.

34 (b) For individuals who have practiced as a phlebotomist directly through or on behalf of  
35 a hospital for a period of three consecutive years; the requirements of this act shall take effect  
36 five (5) years following enactment.