

## AMENDMENT TO THE REGULATIONS TO THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 210, 212, 6501, 6504, 6507, 8600, 8601, 8602, 8603, 8605, 8606, 8606-a and 8608-b of the Education Law and Chapter 446 of the Laws of 2022.

1. Section 52.38 of the Regulations of the Commissioner of Education is REPEALED and a new section 52.38 is added to read as follows:

### Section 52.38 Clinical laboratory technology.

In addition to meeting all applicable provisions of this Part, to be registered as a program recognized as leading to licensure as a clinical laboratory technologist, which meets the requirements of section 79-13.1 of this Title, the program shall:

(a) be a program in clinical laboratory technology leading to a bachelor's degree or higher degree or post-baccalaureate advanced certificate, the combination of which contains didactic and clinical education that integrates pre-analytical, analytical, and post-analytical components of laboratory services, which shall include:

(1) coursework, which may include a laboratory component, in each of the following subject areas or their equivalent as determined by the department:

(i) clinical chemistry;

(ii) clinical microscopy, including urine and body fluids analysis;

(iii) immunology/serology;

(iv) immunohematology (transfusion medicine);

(v) hematology/hemostasis;

(vi) molecular biology or cell biology or genetics;

(vii) clinical microbiology, including bacteriology, mycology, parasitology, and virology;

(viii) mathematics or statistics; and

(ix) laboratory operations, including, but not limited to, quality control, quality assurance, equipment maintenance, record keeping, laboratory procedures, and safety;  
and

(2) a supervised clinical experience of at least 500 clock hours of clinical laboratory technologist practice, which, at a minimum, provides each student with clinical experience in hematology/hemostasis, clinical chemistry, immunohematology, urinalysis/body fluids analysis, clinical microbiology, and immunology; or

(b) be a program that leads to a bachelor's degree in clinical laboratory technology, or an appropriate clinical education program that has at least a bachelor's degree as an admissions requirement, and that meets accreditation standards as a clinical laboratory technology program (or similarly named program) from a national accrediting organization acceptable to the department. For programs in the process of obtaining accreditation, in addition to maintaining compliance with all applicable provisions of this Part, continued registration of the program will be contingent upon the demonstration of adequate progress towards full accreditation as determined by the department. For accredited programs, in addition to maintaining compliance with all applicable provisions of this Part, re-registration will be contingent upon maintaining accreditation status.

2. Section 52.39 of the Regulations of the Commissioner of Education is REPEALED and a new section 52.39 is added to read as follows:

Section 52.39 Cytotechnology.

In addition to meeting all applicable provisions of this Part, to be registered as a program recognized as leading to licensure as a cytotechnologist, which meets the requirements of section 79-14.1 of this Title, the program shall:

(a) be a program in cytotechnology leading to a bachelor's degree or higher degree or post-baccalaureate advanced certificate, the combination of which shall include:

(1) coursework, which may include a laboratory component, in each of the following subject areas or their equivalent as determined by the department:

(i) inorganic and organic chemistry;

(ii) anatomy and physiology;

(iii) cell biology, genetics, or molecular biology;

(iv) cytopathology, including but not limited to, female genital tract, respiratory tract, gastro-intestinal and genitourinary tracts, body fluids, evaluation of specimens from washes and brushes of all body sites, and evaluation of specimens from fine needle aspiration biopsies of all body sites;

(v) cytopreparatory techniques, including but not limited to, preparation, staining and processing of specimens derived from the human body; and

(vi) microscopic evaluation and interpretation of cytopathology of the specimen types and body systems identified in paragraph (4) of this subdivision;

(vii) mathematics or statistics;

(viii) human genetics;

(ix) immunology;

(x) clinical microbiology; and

(xi) laboratory operations relevant to cytology services, including, but not limited to, quality control, quality assurance, equipment maintenance, record keeping, laboratory procedures, and safety; and

(2) include a supervised clinical experience of at least 300 clock hours of cytotechnology practice, which, at a minimum, provides each student with clinical

experience in cytopreparatory techniques and the microscopic examination of gynecologic, non-gynecologic, and fine needle aspiration specimens; or

(b) be a program that leads to a bachelor's degree in cytotechnology, or an appropriate clinical education program that has at least a bachelor's degree as an admissions requirement, and that meets accreditation standards as a cytotechnology (or similarly named) program, from a national accrediting organization acceptable to the department. For programs in the process of obtaining accreditation, in addition to maintaining compliance with all applicable provisions of this Part, continued registration of the program will be contingent upon the demonstration of adequate progress towards full accreditation as determined by the department. For accredited programs, in addition to maintaining compliance with all applicable provisions of this Part, re-registration will be contingent upon maintaining accreditation status.

3. Section 52.40 of the Regulations of the Commissioner of Education is REPEALED and a new section 52.40 is added to read as follows:

Section 52.40 Clinical laboratory technician.

In addition to meeting all applicable provisions of this Part, to be registered as a program recognized as leading to certification as a clinical laboratory technician, which meets the requirements of section 79-15.1 of this Title, the program shall:

(a) be a clinical laboratory technician program leading to an associate's or higher degree which contains didactic and clinical education that integrates pre-analytical, analytical, and post-analytical components of laboratory services that shall include:

(1) coursework, which may include a laboratory component, in each of the following subject areas or their equivalent as determined by the department:

(i) inorganic chemistry;

(ii) clinical chemistry;

(iii) physiology, with anatomy content;

(iv) microbiology, including clinical microbiology;

(v) immunology and serology;

(vi) hematology/hemostasis;

(vii) clinical microscopy, including body fluids;

(viii) immunoematology;

(ix) mathematics or statistics; and,

(x) laboratory operations, including, but not limited to, quality control, quality assurance, equipment maintenance, record keeping, laboratory procedures, and safety;

and

(2) include a supervised clinical experience of at least 300 clock hours of clinical laboratory technician practice, which provides each student with clinical experience that includes but is not limited to: hematology, hemostasis, immunoematology, immunology, clinical chemistry, urinalysis/body fluids, and clinical microbiology; or

(b) be a program that leads to an associate degree in clinical laboratory technician, or an appropriate clinical education program that has at least an associate's degree as an admissions requirement, and that meets accreditation standards as a clinical laboratory technician (or similarly named) program, from a national accrediting organization acceptable to the department. For programs in the process of obtaining accreditation, in addition to maintaining compliance with all applicable provisions of this Part, continued registration of the program will be contingent upon the demonstration of adequate progress towards full accreditation as determined by the department. For accredited programs, in addition to maintaining compliance with all applicable provisions of this Part, re-registration will be contingent upon maintaining accreditation status.

4. Section 52.41 of the Regulations of the Commissioner of Education is REPEALED and a new section 52.41 is added to read as follows:

52.41 Histotechnician.

In addition to meeting all applicable provisions of this Part, to be registered as a program recognized as leading to certification as a histotechnician, which meets the requirements of section 79-16.1 of this Title, the program shall:

(a) be a histotechnician program leading to an associate or higher degree that shall:

(1) include curricular content in each of the following subject areas or their equivalent as determined by the department:

(i) anatomy and physiology;

(ii) inorganic chemistry;

(iii) histology;

(iv) histological techniques, to include microtome; and,

(v) laboratory operations relevant to histology services, including, but not limited to, quality control, quality assurance, equipment maintenance, record keeping, laboratory procedures, and safety; and

(2) include a supervised clinical experience of at least 240 clock hours of histotechnician practice; or

(b) be a program that leads to an associate degree in histotechnician, or be an appropriate clinical education program that has at least an associate's degree as an admissions requirement, and that meets accreditation standards as a histotechnician (or similarly named) program, from a national accrediting organization acceptable to the department. For programs in the process of obtaining accreditation, in addition to maintaining compliance with all applicable provisions of this Part, continued registration

of the program will be contingent upon the demonstration of adequate progress towards full accreditation as determined by the department. For accredited programs, in addition to maintaining compliance with all applicable provisions of this Part, re-registration will be contingent upon maintaining accreditation status.

5. A new Section 52.50 of the Regulations of the Commissioner of Education is added to read as follows:

52.50 Histotechnologist.

In addition to meeting all applicable provisions of this Part, to be registered as a program recognized as leading to licensure as a histotechnologist, which meets the requirements of section 79-21.1 of this Title, the program shall:

(a) be a histotechnology program leading to a bachelor's or higher degree or post-baccalaureate advanced certificate, the combination of which shall:

(1) include coursework, which may include a laboratory component, in each of the following subject areas or their equivalent as determined by the department:

(i) anatomy and physiology;

(ii) inorganic and organic chemistry;

(iii) histology;

(iv) histological techniques, including but not limited to; (i) specimen accessioning, grossing, fixation, processing, embedding, sectioning (including microtomy), and staining techniques; (ii) immunohistochemistry procedures; and (iii) molecular and cytology preparation techniques;

(v) laboratory operations relevant to histology services, including, but not limited to, quality control, quality assurance, equipment maintenance, record keeping, laboratory procedures, and safety; and

(2) include a supervised clinical experience of at least 500 clock hours of histotechnologist practice; or

(b) be a program that leads to a bachelor's degree in histotechnology (or similarly named program), or an appropriate clinical education program that has at least a bachelor's degree as an admissions requirement, and that meets accreditation standards as a histotechnology program (or similarly named program) from a national accrediting organization acceptable to the department. For programs in the process of obtaining accreditation, in addition to maintaining compliance with all applicable provisions of this Part, continued registration of the program will be contingent upon the demonstration of adequate progress towards full accreditation as determined by the department. For accredited programs, in addition to maintaining compliance with all applicable provisions of this Part, re-registration will be contingent upon maintaining accreditation status.