

112TH CONGRESS
2D SESSION

H. R. 6118

AN ACT

To amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Taking Essential Steps
3 for Testing Act of 2012”.

4 **SEC. 2. SUSPENSION, REVOCATION, AND LIMITATION OF**
5 **LABORATORY CERTIFICATION.**

6 Section 353 of the Public Health Service Act (42
7 U.S.C. 263a) is amended—

8 (1) in subsection (d)(1)(E), by inserting “, ex-
9 cept that no proficiency testing sample shall be re-
10 ferred to another laboratory for analysis as prohib-
11 ited under subsection (i)(4)” before the period at the
12 end; and

13 (2) in subsection (i)—

14 (A) in paragraph (3), by inserting before
15 the period at the end of the first sentence the
16 following: “, except that if the revocation occurs
17 pursuant to paragraph (4) the Secretary may
18 substitute intermediate sanctions under sub-
19 section (h) instead of the 2-year prohibition
20 against ownership or operation which would
21 otherwise apply under this paragraph”; and

- 1 (B) in paragraph (4), by striking “shall”
2 the first place it appears and inserting “may”.

Passed the House of Representatives September 19,
2012.

Attest:

Clerk.

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