

112TH CONGRESS
2D SESSION

H. R. 6118

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2012

Received

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:

KAREN L. HAAS,

Clerk.