

One Hundred Twelfth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the third day of January, two thousand and twelve*

An Act

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

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

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

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

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

(1) in subsection (d)(1)(E), by inserting “, except that no
proficiency testing sample shall be referred to another labora-
tory for analysis as prohibited under subsection (i)(4)” before
the period at the end; and

(2) in subsection (i)—

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

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

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*