

110TH CONGRESS  
2D SESSION

# H. R. 1237

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IN THE SENATE OF THE UNITED STATES

APRIL 9, 2008

Received; read twice and referred to the Committee on Health, Education,  
Labor, and Pensions

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## AN ACT

To amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes.

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 “Cytology Proficiency  
3 Improvement Act of 2008”.

4 **SEC. 2. REVISED STANDARDS FOR QUALITY ASSURANCE IN**  
5                   **SCREENING       AND       EVALUATION       OF**  
6                   **GYNECOLOGIC CYTOLOGY PREPARATIONS.**

7       (a) IN GENERAL.—Section 353(f)(4)(B)(iv) of the  
8 Public Health Service Act (42 U.S.C. 263a(f)(4)(B)(iv))  
9 is amended to read as follows:

10                   “(iv) requirements that each clinical  
11                   laboratory—

12                   “(I) ensure that all individuals  
13                   involved in screening and interpreting  
14                   cytological preparations at the labora-  
15                   tory participate annually in a con-  
16                   tinuing medical education program in  
17                   gynecologic cytology that—

18                   “(aa) is approved by the Ac-  
19                   crediting Council for Continuing  
20                   Medical Education or the Amer-  
21                   ican Academy of Continuing  
22                   Medical Education; and

23                   “(bb) provides each indi-  
24                   vidual participating in the pro-  
25                   gram with gynecologic cytological  
26                   preparations (in the form of ref-

1                   erenced glass slides or equivalent  
2                   technologies) designed to improve  
3                   the locator, recognition, and in-  
4                   terpretive skills of the individual;  
5                   “(II) maintain a record of the cy-  
6                   tology continuing medical education  
7                   program results for each individual in-  
8                   volved in screening and interpreting  
9                   cytological preparations at the labora-  
10                  tory;  
11                  “(III) provide that the laboratory  
12                  director shall take into account such  
13                  results and other performance metrics  
14                  in reviewing the performance of indi-  
15                  viduals involved in screening and in-  
16                  terpreting cytological preparations at  
17                  the laboratory and, when necessary,  
18                  identify needs for remedial training or  
19                  a corrective action plan to improve  
20                  skills; and  
21                  “(IV) submit the continuing edu-  
22                  cation program results for each indi-  
23                  vidual and, if appropriate, plans for  
24                  corrective action or remedial training  
25                  in a timely manner to the laboratory’s

1 accrediting organization for purposes  
2 of review and on-going monitoring by  
3 the accrediting organization, including  
4 reviews of the continuing medical edu-  
5 cation program results during on-site  
6 inspections of the laboratory.”.

7 (b) EFFECTIVE DATE AND IMPLEMENTATION; TER-  
8 MINATION OF CURRENT PROGRAM OF INDIVIDUAL PRO-  
9 FICIENCY TESTING.—

10 (1) EFFECTIVE DATE AND IMPLEMENTATION.—

11 Except as provided in paragraph (2), the amend-  
12 ment made by subsection (a) applies to gynecologic  
13 cytology services provided on or after the first day  
14 of the first calendar year beginning 1 year or more  
15 after the date of the enactment of this Act, and the  
16 Secretary of Health and Human Services (hereafter  
17 in this subsection referred to as the “Secretary”)  
18 shall issue final regulations implementing such  
19 amendment not later than 270 days after such date  
20 of enactment.

21 (2) TERMINATION OF CURRENT INDIVIDUAL  
22 TESTING PROGRAM.—The Secretary of Health and  
23 Human Services shall terminate the individual pro-  
24 ficiency testing program established pursuant to sec-  
25 tion 353(f)(4)(B)(iv) of the Public Health Service

1 Act (42 U.S.C. 263a(f)(4)(B)(iv)), as in effect on  
2 the day before the date of the enactment of sub-  
3 section (a), at the end of the calendar year which in-  
4 cludes the date of enactment of the amendment  
5 made by subsection (a).

Passed the House of Representatives April 8, 2008.

Attest: LORRAINE C. MILLER,  
*Clerk.*