



**State of Vermont
Office of the Secretary of State
Professional Regulation**

October 14, 2009

From: The Office of Professional Regulation

Re: Regulation of Medical Laboratory Science Professionals, Notice and Opportunity to Comment on the Request for Regulation.

Please Post this Notice in a prominent place where people affected may see it.

The Office of Professional Regulation (OPR) is a division of the Vermont Secretary of State. The Office coordinates regulation of 44 professions. One of OPR's duties is to report to the legislature whether regulation should be extended to other professions. When a profession must be regulated is set by the legislature. Vermont law, 26 V.S.A. § 3105 states: "Criteria and standards. (a) A profession or occupation shall be regulated by the state only when:

- (1) it can be demonstrated that the unregulated practice of the profession or occupation can clearly harm or endanger the health, safety, or welfare of the public, and the potential for the harm is recognizable and not remote or speculative;
- (2) the public can reasonably be expected to benefit from an assurance of initial and continuing professional ability; and
- (3) the public cannot be effectively protected by other means."

See, <http://www.leg.state.vt.us/statutes/fullchapter.cfm?Title=26&Chapter=057>. Professions seeking state regulation may request that OPR conduct a study to see if that profession meets the statutory requirements for regulation. This is call a Sunrise Review.

Medical Laboratory Science Professionals Seek Regulation

Medical Laboratory Science Professionals have asked OPR review their application and request to be regulated and licensed. The application is available on the OPR web page www.vtprofessionals.org. The application materials may be found by following the link "sunrise reports" to "Medical Laboratory Professionals" or directly via <http://vtprofessionals.org/downloads/sunrptdwn.html>.

Review Process

Written Comments: As part of its review OPR asks for public input. Anyone who wishes is invited to submit comments on the application to the OPR. Written comments should be mailed to the address above, c/o Larry Novins, Legal Counsel. Email comments are welcome and should be addressed to lnovins@sec.state.vt.us. Please write "Sunrise Report Comments" in the subject line. Comments must be received by the end of business on November 13, 2009.

Public Hearing: On November 10, 2009 at 9:00 a.m. at the OPR conference room at the National Life Building (north wing) in Montpelier, OPR will hold a public hearing to hear from those who have an opinion, for or against, state regulation of Medical Laboratory Science Professionals. This hearing will provide an opportunity to ask questions about licensure of medical laboratory science professions and comment on whether this group should be subject to state regulation. We ask that comments refer to the statutory criteria and how those criteria should apply to Medical Laboratory Science Professionals.