

CHAPTER 491
(Senate Bill 769)

AN ACT to repeal and re-enact, with amendments, Section 34 (a) and (b) of Article 43 of the Annotated Code of Maryland (1968 Supplement), title "Health," subtitle "Miscellaneous Provisions," to provide that tissue banks shall be subject to certain standards as promulgated by the State Board of Health and Mental Hygiene; to include blood banks within the meaning of tissue banks; and to provide that the director of a tissue bank must be a physician licensed to practice medicine in Maryland.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 34 (a) and (b) of Article 43 of the Annotated Code of Maryland (1968 Supplement), title "Health," subtitle "Miscellaneous Provisions," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

34. Minimum standards of examining laboratories *and tissue banks (including blood banks).*

(a) Establishment of standards; permit to operate laboratory; periodic inspections; annual application required of foreign laboratories. The State Board of Health and Mental Hygiene shall establish such minimum standards and qualifications for any laboratories *and tissue banks* in the counties of the State and in Baltimore City, which make examinations in connection with the diagnosis and control of *human diseases or which procures, processes, distributes, or sells human tissue* as it may consider necessary to assure to the citizens of the State *these safe and reliable laboratory or health services*, and shall adopt and promulgate rules and regulations for this purpose. Any person, partnership, association, or corporation desiring to open or maintain such a laboratory *or tissue bank* except a physician performing laboratory examinations on his own patients shall file with the Board an application setting forth the name of the owner, the types of laboratory *or health services* to be performed, and such other information as the Board may require; the Board shall cause an inspection to be made and, if in compliance with minimum requirements, it shall issue a permit to operate. The Board shall conduct periodic inspections to assure continuing compliance. No person, partnership, association or corporation shall operate such a laboratory *or tissue bank* without such a permit; the Board is authorized and empowered to refuse to issue, to suspend or to revoke a permit to operate, if, after inspection and due notice, a laboratory *or tissue bank* fails to comply with minimum standards or qualifications or with the provisions of any rules or regulations regularly adopted by the Board. No person, partnership, association or corporation shall represent or service or maintain in this State any office, representative or other facilities for the representation or servicing of any laboratory *or tissue bank* situated in this State or any other state which makes examinations in connection with the diagnosis and control of human disease *or which procures, processes, distributes or sells human tissue* unless the laboratory *or tissue bank* so represented or serviced shall meet or exceed the minimum standards promulgated by the State Board of Health and Mental Hygiene under and pursuant to this section,