

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6118

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2012

Received

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## 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.*