



33 West Monroe Street, Suite 1600
Chicago, Illinois 60603-5617

T 312.541.4999

F 312.541.4845

www.ascp.org

May 18, 2020

Lisa Piercey, MD, MBA, FAAP
Commissioner, Tennessee Department of Health
710 James Robertson Parkway
Nashville, TN 37243

~~Sent via email to lisa.piercey@tn.us~~

Dear Commissioner Piercey:

On behalf of the American Society for Clinical Pathology Board of Certification (ASCP BOC), I am writing to raise concern about provisions of [Executive Order 36](#) (May 12, 2020) that authorize you to waive state licensure requirement for laboratory professionals. While we greatly appreciate Governor Bill Lee's leadership in responding to the COVID-19 pandemic, this waiver is not necessary at this time.

In response to COVID-19 and the shortages of personal protective equipment (PPE), elective medical procedures across the United States have been suspended. With the obvious exception of COVID-19 testing, much of the normal flow of referrals for clinical laboratory testing and anatomic pathology services evaporated, resulting in an estimated 40 percent decrease in test volume. As a result, clinical laboratories across the United States, including those in Tennessee, began furloughing their employees, and their unemployment rate has become quite high. The Bureau of Labor Statistics estimates that approximately 32,000 laboratory professionals (roughly 11% of the laboratory workforce) have been furloughed since January 2020 and it is unlikely the healthcare sector will recover soon.

While we appreciate the Governor's efforts to ensure that clinical laboratories have access to a workforce sufficient to meet patient testing needs, Tennessee should begin by ensuring that clinical laboratories are staffed with people that have the knowledge, training and skills necessary to provide accurate and reliable testing services today. The ASCP BOC believes that Tennessee's licensed laboratory personnel should be given preference for available jobs in the state. The field of laboratory medicine is highly complex, requiring not only the science background but also knowledge of quality processes and procedures. The task of training individuals to become laboratory professionals is a laborious one, taking a full academic year to provide the clinical training needed—for both associate-level and baccalaureate-level laboratory professionals. Laboratory professionals have invested significant sums in honing their knowledge and skills, and it would be a tragedy if this asset were lost.

The ASCP BOC urges that you support Tennessee's licensed laboratory workforce. These professionals play a critical role in diagnosing, staging, and monitoring patients who have been infected with the COVID-19 virus, known as SARS-CoV-2. Their work is also fundamental to surveillance efforts to track the spread of this virus and to identify how best to allocate scarce medical resources, like ventilators.

If the demand for laboratory personnel extends beyond the currently licensed laboratory workforce, ASCP BOC recommend that patient care is best safeguarded by limiting the licensure exemption to those individuals who either (1) hold a valid license from another state; (2) hold a valid certification from a private national certification agency (such as the ASCP BOC); or (3) have successfully completed clinical training at an accredited laboratory training program. Only after exhausting these options should Tennessee consider exempting from licensure individuals who have not completed the clinical training

The Honorable Lisa Piercey, MD, MBA, FAAP

May 18, 2020

Page 2

and/or certification necessary to ensure quality patient care. At that point, we suggest these individuals be granted a special “trainee” license, coupled with a “direct supervision” (a more rigorous standard than for current licensee) requirement until they qualify for a full license. Once they have been authorized to provide testing services in Tennessee, we believe they should begin the process of qualifying for licensure.

In the event that the Department lacks the ability to implement Governor Lee’s order in this manner, we ask that you work with his office to revise the executive order laboratory personnel licensure waiver provisions. The ASCP BOC stands ready to work with you and the Department to address this and other issues related to testing issues and workforce development. Moreover, as the largest laboratory personnel certification agency in the United States, the ASCP BOC may be able to help Tennessee’s clinical laboratories recruit certified laboratory personnel as needed.

The ASCP BOC’s mission is to provide excellence in certification of laboratory professionals on behalf of patients worldwide. We are considered the gold standard certification for medical laboratory professionals around the world. The ASCP Board of Registry (BOR) began in 1928. We are an independent, non-profit certification agency that develops appropriate standards and procedures to assure the competence of medical laboratory personnel and have certified almost 600,000 laboratory professionals in the United States and internationally. We are the only ANSI accredited certifying body of laboratory professionals in the United States and have one of the largest accredited certification programs (21 certifications) in the country.

We sincerely appreciate the work you are doing to address COVID-19 in Tennessee. If we can be of assistance on these efforts please contact me at Patricia.Tanabe@ascp.org or Matthew Schulze, Director of ASCP’s Center for Public Policy, at XXX.XXX.XXXX or Matthew.Schulze@ascp.org.

Sincerely,



Pat Tanabe, MPA, MLS(ASCP)^{CM}
Executive Director, ASCP Board of Certification



Susan T. Johnson, MSTM, MT(ASCP)SBB^{CM}
Chair, ASCP Board of Certification

cc: The Honorable Bill Lee
Brent Culberson, MA, TDH, Assistant Commissioner of Health Licensure and Regulation
Alexa Witcher, JD, TDH, Assistant Commissioner for Legislative Affairs
Richard S. Steence, PhD, D(ABMM), TDH, Director, Laboratory Services
Lynda England, TDH, Tennessee Medical Laboratory Board