

FREQUENTLY ASKED QUESTIONS

Who Must Be Licensed

1. Does a phlebotomist need a CLP license if he/she only draws blood?

The CLP Licensure and Certification Rule does not apply to collecting specimens. If the phlebotomist performs any moderate complexity testing, such as a bleeding time as part of their duties, the phlebotomist must obtain a CLP license. Also, the Rule does not apply to persons at facilities which are specimen collection centers only.

2. Is a person who only performs waived tests required to obtain a CLP license?

No, this Rule applies to persons who perform moderate and/or high complexity testing.

3. Are histologists required to obtain a CLP license?

Any technician that only performs specimen preparation and does not perform or report laboratory test results doesn't have to be licensed as a CLP. If a histologist/grossing tech provides any initial interpretation, then they are subject to CLP licensure. Any individual who performs macroscopic tissue examinations must be a pathologist, pathology resident, or an individual qualified to perform high complexity testing under the supervision of a pathologist.

4. Must a person performing moderate complexity laboratory testing in a pulmonary functions laboratory obtain a CLP license?

Only a WV licensed respiratory therapist performing only the tests which are in the scope of the respiratory therapist license is exempt in this instance. Nurses and other allied health care workers are required to obtain a license regardless of the area or unit where the moderate complexity testing is being performed.

5. Is a RN or LPN required to obtain CLP licensure if they are only performing very limited moderate complexity testing such as an ACT or blood gases in a unit such as ICU/CCU?

Yes, any classification of health care workers other than the ones exempt from the rule (PPMP, waived, respiratory therapists performing blood gasses) must obtain a CLP license if performing moderate or high complexity testing.

Licensure Qualifications

1. Does a person who is a recent graduate from a formal MT or MLT college program but has not yet passed a national registry exam qualify to be classified as a CLP-MLS or CLP-MLT?

No, the person would be considered a trainee until they passed a national registry exam. A Trainee must be directly supervised while performing and reporting laboratory testing.

If the person performs moderate complexity testing, in a point of care situation (physician office, hospital unit, etc.) then the person can be classified as a POCT until the person passes the national registry. A POCT must perform testing under the personal supervision of a clinical laboratory director or a clinical laboratory supervisor and cannot perform high complexity testing.

2. Does an on-the-job trained person who has worked in a laboratory since 1987, passed the HEW exam and has been working at a laboratory as a medical technologist since 1989 qualify as a CLP-MT?

Yes. A person who has been performing medical technologist tasks since July 1987 and has passed the HEW exam meets the qualifications for the CLP-MLS category.

3. Does a person who has an associate degree, who is also certified as a medical laboratory technician (MLT) and has 15 years of experience qualify to be classified a CLP-MLS if their facility job description gives him or her the title of Medical Technologist?

No, the person's job description may not follow the requirements of the CLP rule. The person in this scenario would be classified as a CLP-MLT.

4. Can a person who works in Hematology move to a different specialty such as Blood Banking without reapplying for licensure?

Yes, as long as the person meets the qualifications for a CLP-MLS or CLP-MLT category. During the next annual renewal, changes in job descriptions can be submitted at that time. The definition of a MT states that a broad range of laboratory testing can be performed.

5. Would you explain what "in the scope" of his or her license means?

This would refer to the range of testing received as part of the curriculum required to obtain your degree. Any diagnostic testing performed, in which you were not trained for during your 2 or 4-year program, would require you to obtain a CLP-POCT license.

Licensure Responsibility, Legal Requirements, and Penalties

1. Who is obligated to initiate the process of the license renewal?

The individual licensee is responsible for seeing that the license is kept up-to-date. However, the Licensure Office of the OLS accommodates licensees by sending out renewal notices 2 months to 6 weeks prior to the expiration date. Even if you do not receive your renewal notice, it is your responsibility to renew your CLP license on time each year.

2. Can I continue to perform moderate or high complexity laboratory testing if I have my original license, but it has expired?

No, it is illegal to continue to perform laboratory testing with an expired license. You must cease laboratory testing until a valid license is obtained. Your employer may suspend you from employment rather than risk sanctions from CLIA or their accrediting agency. You are also subject to a \$100 penalty fee.

3. Can the Office of Laboratory Service licensure program personnel give permission for a person to perform laboratory testing at their workplace if they do not have a current license?

No, performing testing with an expired license is illegal. The licensure program mails the renewals well in advance of the expiration date of the licenses. It is the responsibility of the licensees to return their paperwork along with the required continuing education by the return date so there is enough time for the licenses to be processed. There is no grace period. Once the license expires, a person cannot perform laboratory testing until a new license is in-hand.

4. Can the licensee be "fired" for not having an up-to-date license?

It is illegal to work without a CLP license performing moderate or high complexity testing. How the individual laboratory deals with this failure is a management decision. There have been suspensions of employment in some laboratories. "Firing" would be within the rights of a lab to avoid losing CLIA certification.

Continuing Education

1. If my license expires on February 1, 2018, do the contact hours that were earned in December of 2017 count toward the 2018 license renewal?

The contact hours must be awarded during the previous year covered by the current CLP license. It is not according to the calendar year. In the above situation, the period for earning the required 10 continuing education contact hours is from February 1, 2017 to January 31, 2018.

2. Do management and computer classes count toward the contact hours required for licensure?

Only if your laboratory tasks require you to improve your management or computer related skills.

3. C.E. is required for license renewal. Is the state responsible for furnishing this C.E.?

No, meeting training requirements is the responsibility of the licensee. However, C.E. correspondence courses can be purchased, for a small fee, from the OLS. We also sometimes offer workshops, give presentations at regional meetings and co-sponsor workshops with the National Laboratory Training Network (NLTN). Participation in OLS training offerings is voluntary unless your laboratory management mandates.

Renewal Timing and Delays

1. What causes the most delays in processing renewals?

- *Submitting an incomplete license application: not paying all fees owed, not including a check, supporting documents, or continuing education.*
- *Having the incorrect home address on file with our office.*

2. How long is the turn-around-time for processing a CLP license application or renewal?

Allow two weeks once the application is received in this office. Missing information and unpaid penalty fees will delay processing. Allow an additional few days for the mailing process.

3. Whom do I ask for at the OLS if I have a licensure question?

Contact information is shown on our web page.

4. If my license should lapse for a few months, do I retain my initial renewal date?

Yes. However, if you are not employed for an extended period and let your license lapse you may be given a new expiration date for one year after reinstatement date.

5. If my license is inactive for an extended period, will I have to complete a new application for licensure?

We retain licensure records for five years. If your license is inactive for five years or more then you will have to complete a new Application for Licensure. If it is less than five years and we have your initial application information, only a Renewal Application will be required. In either case, you will need 10 contact hours of continuing education to have your license reinstated. You will be given your original licensure number.