

ORDERING & REPORTING MEDICAL AND NON-MEDICAL LABORATORY TESTS

Ordering Medical Laboratory Tests

Oregon Revised Statute (ORS):

ORS 438.430(1) Examination, specimens; reports and results. Except as otherwise provided in ORS 438.010 to 438.510, a clinical laboratory shall examine specimens only at the request of a physician, dentist, or other person authorized by law to use the findings of laboratory examinations.

Legislative Intent:

All laboratory orders must be in writing or submitted electronically. Standard requisition forms or prescription pads may be used. The submitter must provide the name and title of the individual ordering the test and address where the report is to be mailed. Electronic requests may only be submitted by authorized individuals.

Practitioner boards authorize their practitioners to order and receive laboratory results within the scope of their practice. The following boards have indicated to Laboratory Compliance that their rules allow their licensed members to order and receive laboratory results:

Physicians Examiners Board

- Medical Doctor (MD)
- Doctor of Osteopathy (DO)
- Doctor of Podiatric Medicine (DPM)
- Physician Assistant (PA)

Chiropractic Examiners Board

- Doctor of Chiropractic Med (DC)

Naturopathic Examiners Board

- Naturopathic Doctor (ND)

Licensing Boards

- Direct Entry Midwife (DEM)

Board of Pharmacy

- Pharmacists

Nursing Board

- Certified Nurse Practitioner (NP)
- Certified Nurse Midwife (CNM)
- Certified Registered Nurse Anesthetist (CRNA)
- Clinical Nurse Specialist (CNS)

Dentistry Board

- Doctor of Dental Science (DDS)
- Doctor of Medical Dentistry (DMD)

Board of Optometry

- Optometric Physicians (OD)

Exceptions:

ORS 438 allows specific tests to be performed without a practitioners order. Specifically this means substance of abuse testing (ORS 438.435) and tests authorized with a health screen testing (HST) permit or within a clinical laboratory having the specialty of HST on their clinical laboratory license (ORS 438.150). Tests authorized under HST currently include: blood hemoglobin, packed red cell volume (spun hematocrit), total cholesterol, blood glucose, blood in

feces (stool occult blood), human chorionic gonadotropin (pregnancy test), high density lipoprotein cholesterol (HDL), Triglyceride after an individual fasts 12 to 16 hours, and LDL using the Friedenwald automatic calculation equation.

Telephone Orders:

When a physician/clinician or their staff orders a laboratory test by telephone, the laboratory staff must indicate on the test requisition the order is a phone request. The laboratory must make reasonable attempts to obtain a follow-up written order from the ordering individual within 30 days of the phone request. The intention is to assure only authorized individuals order tests and such tests are medically necessary.

Reporting Medical Laboratory Test Results

ORS 438.430 (2) A person may not report the result of any test, examination, or analysis of a specimen submitted for evidence of human disease except to:

(a) The patient or the patient's authorized representative, unless the physician, dentist or other person requesting the laboratory test, examination or analysis under subsection (1) of this section notifies the clinical laboratory of a reasonable belief that an exception applies to the prohibition on information blocking under 42 U.S.C. 300jj-52; and

(b) A physician, dentist, their agents, or other person authorized by law to employ the results in the conduct of a practice or in the fulfillment of official duties.

(3) Except as provided in subsection (2) of this section, a clinical laboratory or the designee of the laboratory, after verifying the identity of the requester and after determining the results are ready for release, shall without unreasonable delay provide the results of a test, examination or analysis of a specimen submitted by a patient in writing to the patient or the patient's authorized representative.

Ordering and Reporting Non-Medical Substance Abuse Tests

ORS 438.435(2) Testing for substance abuse; In order to perform such tests, examinations or analyses, the laboratory may examine specimens submitted by persons other than those described in ORS 438.430 (1) and shall report the result of any test, examination or analysis to the person who submitted the specimen. When the substance of abuse test is for nonmedical employment or pre-employment purposes, and a written request is provided, the test result shall be reported to the person from whom the specimen was originally obtained.

Legislative Intent:

Employees or potential employees may obtain a copy of their employer-ordered drug tests by submitting a written request and proof of identity to the laboratory performing the initial screen and/or confirmatory test. The employee must sign a form for release of laboratory records.

This document is available in alternate formats by calling (503) 693-4125.