



COLLEGE of AMERICAN PATHOLOGISTS

March 20, 2024

The Honorable Marc Berman, Chair
Assembly Committee on Business and Professions
1020 N Street, Room 379
Sacramento, CA 95814

RE: Support for Assembly Bill 2107 (Clinical Laboratory Technology: Remote Review)

Dear Chair Berman and Esteemed Members,

On behalf of the California Society of Pathologists, the College of American Pathologists strongly supports Assembly Bill 2107 authorizing pathologists and laboratory personnel to remotely review clinical laboratory data, digital results, and digital images under the appropriate Clinical Laboratory Improvements Amendments (CLIA) certificate.¹

As the world's largest organization of board-certified pathologists and leading provider of laboratory accreditation and proficiency testing programs, the CAP serves patients, pathologists, and the public by fostering and advocating excellence in the practice of pathology and laboratory medicine worldwide.

Amid the COVID-19 pandemic and the unique challenges it posed, the Center for Medicaid & Medicare Services (CMS) utilized enforcement discretion to ensure pathologists could review slides and sign out remotely so long as the primary site or laboratory had a CLIA certificate. The CAP advocates for the continuation of this waiver to preserve quality, ensure continuity of care for patients, and provide necessary flexibility as needed for clinical laboratories and pathologists.

California is one of the only states that does not recognize CMS's continued enforcement discretion for pathology's remote waiver. Bringing California into alignment with federal guidance would allow pathologists in California the flexibility to sign-out remotely as they can in the majority of states. As workforce constraints continue to be a challenge, this flexibility is key to ensuring timely review of tests and the quickest diagnosis possible.

Furthermore, pathology and laboratory services are the cornerstone of health care decisions, accounting for over 75% of patient diagnoses based on laboratory testing. Pathologists and clinical laboratories continue to provide vital health care services during unprecedented times and beyond. Such flexibility as encompassed under AB 2107 serves to benefit not only pathologists but California patients across the state.

We therefore urge your support of Assembly Bill 2107 which safeguards continuity of patient care and decreases unnecessary patient delays for timely diagnosis.

Thank you for your consideration and courtesies.

Sincerely,

Donald S. Karcher, MD, FCAP
President, College of American Pathologists

¹ QSO-23-15-CLIA (cms.gov)