

**Persons authorized to order tests and receive directly the results of
clinical laboratory testing of specimens accepted from New York State**

Attorney	Tests must be for (i) use in the routine discovery process in a civil proceeding (e.g., tort case, Family Court case); and/or (ii) pursuant to an established client-attorney relationship (e.g., determination of biological relationships for child support, estate settlement or immigration; toxicological analysis to substantiate or refute alcohol or drug impairment)
Chiropractor	Tests must be within the scope of practice of chiropractic as defined by the NYS Education Department (see http://www.op.nysed.gov/chinolab.htm)
Commissioner or an official designee, including State Commissioner of Health and county and city counterpart	Testing must be a necessary adjunct to a Public Health Law mandated or officially sanctioned public health activity
Coroner	Tests must be related to the medical-legal investigation of a death
Court Judge	Tests must be for use in a legal proceeding under his/her jurisdiction, including paternity tests ordered pursuant to the Family Court Act
Dentist	Tests must be within the scope of practice of dentistry as defined by the NYS Education Department (NYS SED)
Government-operated public health agency or local health unit	Testing must be a necessary adjunct to an officially sanctioned public health activity
Government, foreign (Consulate or embassy)	Limited to testing to substantiate or refute claims of familial relationship for purposes of establishing eligibility for immigration
Layperson (test subject) who has capacity to consent to health care	Tests must be for same purpose as a test or collection device that has been approved or cleared by the FDA for sale or distribution on a direct or over-the-counter basis without a prescription from a qualified health care practitioner (Note: the ordering medical practitioner must authorize release of any other testing to laypersons, with the exception of blood typing and Rh determinations)
Nurse Midwife	Tests must be within the scope of practice of midwifery as defined by the NYS Education Department and within the scope of a practice agreement between midwife and physician or midwife and hospital
Nurse Practitioner (does not apply to an RN or LPN without NP certification)	Provided tests are within the scope of professional services recognized under the NP's specialty area(s) of certification and within the protocols specified in his or her practice agreement with collaborating physician
Parole Officer	Limited to tests to determine the presence or absence of a substance whose use is prohibited by the conditions of release established by the board of parole
Physician (includes osteopathic physician)	Tests must be within the scope of practice of medicine as defined by NYS SED
Physician Assistant and Specialist Assistant	Tests must be within the scope of practice of medicine as defined by NYS SED as practiced by the supervising physician
Podiatrist	Tests must be within the scope of practice of podiatry as defined by NYS SED
Police Officer	Limited to tests for alcohol or drug impairment to support arrest charges or an official investigation conducted under the NYS Vehicle and Traffic Law
Probation Officer	Limited to tests to determine the presence or absence of a substance whose use is prohibited by the conditions of release established by the NYS Division of Probation & Correctional Alternatives