

Title 25. Health Services  
Part 1. Department of State Health Services  
Chapter 73. Laboratories  
Repeal §73.51, §§73.53 - 73.55  
New §73.51, §73.54, §73.55  
Amendments §73.31, §73.41

### Proposed Preamble

The Executive Commissioner of the Health and Human Services Commission on behalf of the Department of State Health Services (department) proposes amendments to §73.31 and 73.41, the repeal of §73.51 and §73.53 - §73.55, and new §73.51 and §§73.54 - 73.55 concerning fees for laboratory services and fee schedules for clinical testing, newborn screening, and chemical analysis.

### BACKGROUND AND PURPOSE

Texas Government Code, §2001.039, requires that each state agency review and consider for re-adoption each rule adopted by that agency pursuant to the Texas Government Code, Chapter 2001 (Administrative Procedure Act). Sections 73.31, 73.41, 73.51, 73.54, and 73.55 have been reviewed and the department has determined that reasons for adopting the sections continue to exist because rules on this subject are needed, although amendments are needed as detailed below. This rulemaking package updates a variety of rules related to the department's Laboratory Services Section (LSS) which includes the Austin Laboratory, the Women's Health Laboratory, and the South Texas Laboratory. Section 73.53 has also been reviewed and the department has determined that the repeal of §73.53 is necessary because the department no longer offers training of laboratorians on a fee-for-service basis. Wholesale changes to §73.51, §73.54, and §73.55 are necessary because the fee schedules need to be updated to incorporate additional new laboratory tests, update test method references and fees, and to delete laboratory tests that are no longer performed by the department. These extensive substantive changes are why the three rule sections are being repealed and re-proposed. All of these proposed revisions comply with Texas Health and Safety Code, §12.031, §12.032, and §12.0122 that allow the department to charge fees to a person who receives public health services from the department (which explicitly includes laboratory services), in an amount up to the cost to the department for providing that service. Since the last rules revision in 2007, the department has experienced a variety of increased costs associated with providing laboratory services, including technology for laboratory testing, supplies and test kits, shipping of specimens and, additionally, LSS ancillary services required to support testing and meet regulatory requirements. Senate Bill (SB) 80, 82nd Legislature, Regular Session, 2011, requires that the department: (1) develop, document and implement procedures for setting fees for laboratory services, including updating and implementing a documented cost allocation methodology that determines reasonable costs for the provision of laboratory tests; and (2) analyze the department's costs and update the fee schedule as needed in accordance with Texas Health and Safety Code, §12.032(c). LSS has developed and documented a cost accounting methodology and determined the costs for each test performed. The methodology for developing cost per test included calculating the specific costs of performing the test or analysis and the administrative and overhead cost necessary to operate the state laboratories in question. It is these figures together which determined the revised fee amount for each of the tests in these fee schedules. In order to determine the specific cost for

each test or analysis, LSS performed a work load unit study for every procedure or test offered by the laboratory. A work load unit was defined as a measurement of staff time, consumables and equipment required to perform each procedure from the time the sample enters the laboratory until the time the results are reported. More than 3,000 procedures performed by the department's laboratory were included in this analysis. These procedures translate to approximately 700 different tests listed in these proposed rule amendments. These figures, along with those which represent the administrative cost of running the laboratories, were reviewed by an independent cost accountant and the department's Chief Financial Officer to establish a final cost per test for these proposed amendments. These proposed fee changes reflect the department's current costs for providing these services.

## SECTION-BY-SECTION SUMMARY

Section 73.31(a) is proposed to be amended to improve readability and more clearly state that specimens submitted must meet the requirements of the DSHS Laboratory Manual of Reference Services (manual) in order to be accepted by the department for testing. An amendment to the subsection is also proposed which would state that the department's manual is posted on the LSS website. The proposed amendment to subsection (b) reflects the actual practice of the department to reject specimens that do not meet the requirements outlined in the manual referenced above. LSS is certified to perform testing on humans (e.g. specimens taken from humans) under the federal Centers for Medicare and Medicaid Service's Clinical Laboratory Improvement Amendments (CLIA). To maintain this certification, LSS must meet certain CLIA operational standards. Similarly, for testing LSS performs on other types of samples, there are other operational standards which must be met: (e.g. Environmental Protection Agency (EPA) and The National Environmental Laboratory Accreditation Conference (NELAC) Institute (TNI) standards for analysis of environmental samples; and the Food and Drug Administration's standards for the analysis of food, shellfish and milk). The acceptance criteria in the department's manual were written to be consistent with the operational standards discussed above.

Section 73.41(a) is proposed to be amended to explain that fees for some services are established by rule while others (i.e. services not listed in the rule fee schedules) may be established by contract between the department and the submitter. These changes are proposed to better reflect the underlying statutory authority for services sold under this section, which is found at Texas Health and Safety Code, §12.0122, §12.031, and §12.032, to clarify associated processes related to the logistics of such sales, and also to improve the clarity and readability of the rule language.

Section §73.41(b) is proposed to be amended by updating the definition of laboratory services, deleting the definition of special projects and reformatting and renumbering the section accordingly. These changes are proposed to better match the underlying statutory authority, to provide greater clarity and to improve readability. The definition of "special projects" has been proposed for deletion because it is unnecessary and also to avoid confusion with activities the department may conduct under separate statutory authority.

Section 73.41(c) is proposed to be amended by including language to more clearly state that charges for laboratory services were calculated to recover the department's costs associated with such activities and that the fees and any contract executed for the sale of laboratory services reflect the department's costs.

Existing language in §73.41(e) is proposed for deletion because it is redundant and unnecessary, given the proposed reorganization of this section. Further, the amended language proposes to move matters relating to the logistics of charges for the sale of laboratory services (e.g. payment; obtaining copies of fee schedules) to this subsection and to new subsection (f) from its existing location in §73.51, to reflect the proposed reorganization of both sections. Changes to this language are proposed to avoid redundancy, given the proposed reorganization of both rule sections and the wording of the underlying statutes, and to improve clarity and readability.

Proposed amendments to §73.51 reflect the proposed reorganization of §73.41 and §73.51. The proposed changes to the title of this section reflect the revised contents of the section, and incorporates wording from subsection (b), where the existing language is proposed for deletion. Formatting throughout this section has been updated to accomplish the proposed reorganization.

Section 73.51(a) is proposed to be deleted as redundant and unnecessary, given the proposed reorganization of this section and of §73.41.

Section 73.51(b) is proposed for deletion because of the proposed reorganization of the section and because the wording “unless the context clearly indicates otherwise” created an ambiguity to the definitions. Existing §73.51(b)(1) is proposed to be renumbered as §73.51(a). Existing §73.51(b)(2) is proposed to be renumbering as §73.51(b) and amended by deleting the names of specific chlorinated pesticides and polychlorinated biphenyls (PCBs) in drinking water. These chemicals are proposed to be divided into two groups, “regulated and non-regulated” in new §73.51(b)(1) and (2), improving clarity and readability. Existing §73.51(b)(3) is proposed for deletion because this analysis was performed only for a special project that has been completed since the last rulemaking process.

Under the proposed reorganization, §73.51(3) would now contain the definition of gamma emitting isotopes, with revisions, currently listed at §73.51(b)(4). This proposed definition identifies isotopes within a specific range of electron energies rather than listing the individual isotopes, which improves clarity, user-friendliness and readability. Existing §73.51(b)(5) is proposed to be renumbered as §73.51(d). Existing §73.51(b)(6) is proposed to be renumbered as §73.51(e). Existing §73.51(b)(7) is proposed to be renumbered as §73.51(f). Existing §73.51(b)(8) is proposed for deletion because this analysis was performed only for a special project that has been completed since the last rulemaking process. Existing §73.51(c) is proposed to be deleted as redundant and unnecessary, given the proposed reorganization of this section and of §73.41, and also based on the wording of the underlying enabling statutory provisions. Existing §73.51(d), (e), and (f) are proposed for deletion, because language regarding these subjects is moved to rule §73.41 as part of the proposed reorganization of both sections. Existing §73.51(g) and (h) is proposed for deletion given the reorganization of this section and of §73.41 and also because the language is merely duplicative of the underlying statutory language.

Existing §73.51(b)(9) is proposed to be renumbered as §73.51(g). Existing §73.51(b)(9)(A) is proposed to be renumbered as §73.51(g)(1) and includes minor edits to the names of chemical compounds which will be identified in air samples. Organic compounds typically have several correct names. These changes are proposed to ensure that the same chemical names are used consistently for all volatile organic compound test methods performed by the LSS. Existing §73.51(b)(9)(B) is proposed to be renumbered as §73.51(g)(2). Existing §73.51(b)(9)(B)(i) and

(ii) are proposed to be renumbered as §73.51(g)(2)(A) and (B) respectively. These subparagraphs are also proposed to be amended by updating the list of compounds specified under each definition, in order to reflect changes to EPA regulations pursuant to the federal Safe Drinking Water Act that have been introduced since the last rules revision. Existing §73.51(b)(9)(B)(iii) is proposed for deletion because this analysis was performed only for a special project that has been completed since the last rulemaking process. Existing §73.51(b)(9)(B)(iv) is proposed to be renumbered as §73.51(g)(2)(C).

Proposed new §73.51(h) - (n) would add definitions for chemical analyses being added into the rules as part of this update. New laboratory tests or changes to test methods have been added for a variety of reasons including changes in state and federal regulatory requirements, and the availability of new technology and/or instrumentation which makes older methods obsolete. The repeal of existing §73.54 is proposed, along with proposed new language for that section. Existing language in §73.54 is proposed to be reorganized by listing tests performed at each of the three department laboratories separately; and by reorganizing the tests listed for each laboratory to mirror the organization of the fee schedule in the department's manual. These changes are proposed to improve clarity, readability and user-friendliness of the rule. Throughout this section certain new tests are proposed to be added or deleted for a variety of reasons, including the availability of new technology and/or instrumentation which makes older methods obsolete. Other proposed new tests were added or deleted in §73.54(a)(2) as the result of the cost analysis process. For example, there may have been a single fee for the analysis of similar bacteria. However, when costs were calculated for each different bacterium commonly tested it was determined that the cost for the identification varied with the organism. Therefore, a price for the identification of each bacterium is listed in the proposed language and the single, undifferentiated price for the analysis is proposed for deletion. These extensive changes will be reflected in new §73.54. Fees in this section were calculated, as part of these proposed amendments, to recover the department's costs associated with providing these laboratory services, per Texas Health and Safety Code, §12.0032 (see full discussion herein).

Section 73.55 is proposed to be amended by deleting the opening statement, "Fees for chemical analyses and physical testing shall not exceed the following amounts." This deletion is necessary to reflect the fee calculation methodology in SB 80 (as discussed herein). Throughout this section, some existing laboratory tests are proposed to be deleted and proposed new laboratory tests or new test methods and their accompanying fees have been inserted, as indicated. The majority of the chemical analyses performed by the LSS are to determine compliance with federal and state Safe Drinking Water regulations. Most of the methods proposed for deletion are non-drinking water methods that have not been requested since the last rule making process. New laboratory tests or changes to test methods have been added for a variety of reasons including changes in state or federal regulatory requirements, and the availability of new technology and/or instrumentation which makes older methods obsolete. The new fee amounts are consistent with the SB 80 calculation methodology, and with underlying statutory authority, all as discussed herein. Section 73.55(1) is proposed to be amended to update name of the test from "analysis of organic compounds in air" to "analysis of volatile organic compounds in air" which is consistent with nomenclature used in other laboratory methods. This proposed language would replace existing §73.55(1) and subparagraphs (A) - (C), making that existing language redundant.

Existing §73.55(2)(A)(i)(I) is proposed to be amended by updating the reference to the edition of Standard Methods currently used for this analysis. Existing §73.55(2)(A)(i)(III) and (IV) are proposed for deletion because these contaminants are determined as part of §73.55(2)(A)(i)(I) therefore these subsections are redundant. Existing §73.55(2)(A)(i)(V) - (XII) are proposed to be renumbered as (III) - (X) respectively. Existing subclauses (VII), (X), (XI) are also proposed to be amended by updating the edition of Standard Methods currently used for these analyses. What would become §73.55(2)(A)(i)(XI) is proposed to be added as a new method for the analysis of chlorite. Existing §73.55(2)(A)(i)(XIII) - (XXII) are proposed to be renumbered as (XII) - (XXI) respectively. In addition existing subclauses (XIII), (XVI) are proposed to be amended by updating the reference to the edition of Standard Methods currently used for these analyses. Existing (XXI) is also proposed to be amended by changing the method used for this analysis to reflect current LSS practice. Existing §73.55(2)(A)(i)(XV) is proposed to be amended by changing the name of the analysis from “conductivity” to “specific conductance” because “specific conductance” is used by The NELAC Institute on the LSS certificate of accreditation. Existing §73.55(2)(A)(i)(XXIII) is proposed for deletion because this testing was performed for the EPA Unregulated Contaminant Monitoring Rule. The monitoring period for this rule ended in 2010 so this testing is no longer required by the EPA. Existing §73.55(2)(A)(i)(XXIV), (XXV), and (XXVI) are proposed to be amended because the methods used to perform these analyses has changed since the last rulemaking process. Existing §73.55(2)(A)(i)(XXVII) is proposed for deletion because the department no longer performs this analysis. This is a non-drinking water analysis that has not been requested since the last rulemaking process. Existing §73.55(2)(A)(i)(XXVIII) is proposed to be amended by updating the reference to the edition of Standard Methods currently used for this analysis. Existing §73.55(2)(A)(i)(XXIX) is proposed for deletion because the department no longer receives requests for this analysis. Existing §73.55(2)(A)(i)(XXX) and (XXXI) are proposed to be renumbered as (XXVI) and (XXVII) respectively. Existing §73.55(2)(A)(ii) is proposed to be amended by updating the EPA method and the reference to the edition of Standard Methods currently used for this analysis.

Existing §73.55(2)(B)(iii)(III) is proposed for deletion because this analysis was performed specifically for the Texas Commission on Environmental Quality (TCEQ) lead copper program and TCEQ no longer sends the LSS samples for the lead copper analysis. Existing §73.55(2)(B)(iii)(IV) and (V) are proposed to be renumbered as (III) and (IV) respectively. Section 73.55(2)(B)(iii)(IV) is also proposed to be amended by changing the name of the analysis to match the name in Standard Methods.

Existing §73.55(2)(C)(i) and (iii) are proposed to be amended to include the current methods used to perform these analyses, with (i) also proposed to be amended to spell out the abbreviation of “PCB.” Existing §73.55(2)(C)(vii) is proposed to be amended by deleting “and dalapon” because identification of this compound is no longer required by TCEQ and this test is in the DSHS fee schedule because of previous requests for the analysis of this compound by TCEQ. Existing §73.55(2)(C)(viii) is proposed for deletion because this test is not required for drinking water compliance and has not been requested since the last rulemaking process. Existing §73.55(2)(C)(ix) is renumbered as (viii) and is proposed to be amended by replacing “methylcarbamoyloximes and n-methylcarbamates (carbamate) pesticides” with “carbamates insecticides” to more correctly identify the analysis and by updating the method used to perform this analysis. Existing §73.55(2)(C)(x) is proposed for deletion because it has been replaced by the method described in the proposed amendment to existing §73.55(2)(C)(ix). Existing §73.55(2)(C)(xi) is proposed to be renumbered as (ix) and is proposed to be amended by

removing “screening by perchlorination” from the name of the analysis because it is redundant. A new §73.55(2)(C)(x) is proposed to be added to list a new method for the analysis of synthetic organic contaminants group 5 which reflects current laboratory practice. Existing §73.55(2)(C)(xi) is proposed to be amended by adding the instrument used for the analysis. Existing §73.55(2)(C)(xii) is proposed to be amended to add an additional method for this analysis. Existing §73.55(2)(C)(xiv) is proposed for deletion because it is the same test described in §73.55(2)(C)(xii) and is therefore redundant. Existing §73.55(2)(C)(xv) would be renumbered as (xiii).

Existing §73.55(2)(D)(iv) and (v) are proposed to be amended to update the method currently used for this analysis. Existing §73.55(2)(D)(vii) is proposed for deletion because thorium is not listed in the current drinking water testing requirements. Existing §73.55(2)(D)(viii) is proposed to be renumbered as (vii). Existing §73.55(2)(D)(ix) is proposed to be renumbered as (viii) and is proposed to be amended to update the method currently used for this analysis. Existing §73.55(2)(D)(x) is proposed to be renumbered as (ix).

Existing §73.55(3)(A)(i) is proposed to be amended by providing the full name of the organization in addition to the acronym used in the existing clause. New §73.55(3)(A)(ii), (iii), and (iv) are proposed to add the analysis of benzoate, BRIX and cereal respectively. Existing §73.55(3)(A)(ii) is proposed to be renumbered as (v). Existing §73.55(3)(A)(iii) is proposed to be renumbered as (vi) and to be amended by updating the method currently used for this analysis. Existing §73.55(3)(A)(iv) and (v) are proposed to be renumbered as (vii) and (viii) respectively. New §73.55(3)(A)(ix) is proposed to add a new method for the detection of food coloring. Existing §73.55(3)(A)(vi), (vii) and (viii) are proposed to be renumbered as (x), (xi) and (xii) respectively. Existing §73.55(3)(A)(ix) is proposed to be renumbered as (xiii) and to be amended by updating the method used to perform this analysis. New §73.55(3)(A)(xiv) is proposed to add a new method for phosphate determination. Existing §73.55(3)(A)(x) and (xi) are proposed to be renumbered as (xv) and (xvi) respectively and to be amended by changing the names of the methods used to perform these analyses to accurately reflect the names used by the United States Department of Agriculture. Existing §73.55(3)(A)(xii) is proposed to be renumbered as (xvii). New §73.55(3)(A)(xviii) and (xix) are proposed to add new methods for the analysis of soya and sulfite, respectively. Existing §73.55(3)(A)(xiii) is proposed to be renumbered as (xx).

Existing §73.55(3)(B) is proposed to be amended by eliminating analytical techniques that have become obsolete and are no longer used by the department and by explaining that each remaining analytical technique requires a separate sample preparation with a separate fee for each preparation. Existing §73.55(3)(B)(ii)(I) and (II) are proposed to be amended by updating the methods used for the analyses. Existing §73.55(3)(B)(ii)(III) is proposed for deletion because the techniques and methods listed are no longer performed by the department. Existing §73.55(3)(B)(ii)(IV) is proposed to be renumbered as (III).

Existing §73.55(4)(A) is proposed to be amended to explain that each analytical technique used for the analysis of a metal in soil and solids requires a separate sample preparation and each preparation has a separate fee. It further explains that the determination of leachable metals in solid samples requires a solid leachate sample preparation, as well as analysis of the leachate using non-potable water analytical methods, and the cost of the analysis will be the solid leachate sample preparation fee plus the required non-potable water preparation fee(s) and the per-

element test fee(s). New §73.55(4)(A)(ii) is proposed to add a test/fee for a solid leachate for metals analysis. Existing §73.55(4)(A)(ii) is proposed to be renumbered as (iii). Existing §73.55(4)(A)(ii)(I) - (V) are proposed for deletion because these analytical techniques are obsolete and no longer used by the department. Existing §73.55(4)(A)(ii)(VI) is proposed to be renumbered as (I) and to be amended by updating the method used to perform this analysis. Existing §73.55(4)(A)(ii)(VII) is proposed for deletion because the term "non-routine" is ambiguous. The analysis of a single metal using specific analytical instrumentation is listed in existing §73.55(4)(A)(ii)(IX) and (XI). Existing §73.55(4)(A)(ii) (VIII) is proposed for deletion because the analysis for silver, is the same as any other single metal analysis described in existing §73.55(4)(A)(ii)(IX) and (XI). Existing §73.55(4)(A)(ii)(IX) is proposed to be renumbered as (II) and to be amended by updating the method used to perform this analysis. Existing §73.55(4)(A)(ii)(X) is proposed for deletion because the technology is obsolete and the department no longer performs these methods. Existing §73.55(4)(A)(ii)(XI) is proposed to be renumbered as (III) and to be amended by updating the technology and method used to perform this analysis.

Existing §73.55(4)(B) is proposed to be amended by adding details on when a sample preparation fee applies and that the total cost of an analysis will include the cost of sample preparation (if applicable) and the analytical method fee. Some minor revisions are also proposed throughout subparagraph (B) to improve readability, achieve consistency of format, and to capitalize the names of the substances being tested.

Existing §73.55(4)(B)(i) is proposed to be amended by changing "alpha spectrometry preparation" to "sample preparation" because the procedure is not specific to alpha spectrometry, and by updating the method used for this preparation. New §73.55(4)(B)(ii) is proposed to add the analysis of americium isotopes. Existing §73.55(4)(B)(ii) - (xi) are proposed to be renumbered as (iii)–(xii), respectively, and to be amended by updating the method currently used for each respective analysis.

Existing §73.55(5) is proposed to be amended by deleting the phrase "organic compounds and/or" because the laboratory no longer performs analysis of organic compounds in fish. These analyses were performed for a specific project which has been completed since the last rule making process. Existing §73.55(5)(B)(ii)(I) and (II) are proposed to be amended by updating the methods used to perform these analyses. Existing §73.55(5)(B)(ii)(III) is proposed for deletion because the technology is obsolete and the department no longer performs these methods. Existing §73.55(5)(B)(ii)(IV) is proposed to be renumbered as (III) and amended to update the method currently in use by the laboratory. Existing §73.55(5)(B)(iii) is proposed for deletion because this analysis was for a particular project which has been completed since the last rule making process.

Existing §73.55(5)(C) and clauses (i) - (v) are proposed for deletion because the department no longer performs organic analyses on tissue and vegetation samples. Existing §73.55(5)(D) is proposed to be renumbered as (C) and is also proposed to be amended by explaining when a sample preparation fee applies and that the total cost of an analysis will include the cost of sample preparation (if applicable) and the analytical method fees. Existing §73.55(5)(C)(i) is proposed to be amended by changing "alpha spectrometry preparation" to "sample preparation" because the procedure is not specific to alpha spectrometry, and by updating the method used for this preparation. New §73.55(5)(C)(ii) is proposed to add the analysis of americium isotopes.

Existing §73.55(5)(D)(ii) - (vi) are proposed to be renumbered as (iii) - (vii), respectively, and to be amended by updating the method currently used for each analysis. New §73.55(5)(C)(viii) is proposed to add the analysis for Radium-228 in tissue and vegetation. Existing §73.55(5)(D)(vii) - (x) are renumbered as (ix)-(xii), respectively. In addition, existing §73.55(5)(D)(viii) - (x) are proposed to be amended by updating the methods used for these analyses.

Existing §73.55(6) is proposed to be amended by changing the description of samples in this subsection from “water and wastewater” to “non-potable” water to match the language in the fields of accreditation offered by The NELAC Institute. Existing §73.55(6)(A)(i) and (ii) are proposed to be amended by updating the methods used for these analyses.

Existing §73.55(6)(B) is proposed to be amended by changing the description of samples in this subsection from water “and/or wastewater” samples to “non-potable” water samples to match the language in the fields of accreditation offered by The NELAC Institute, and is also proposed to be amended by adding a sentence clarifying that a sample that requires analysis by two different techniques will require two sample preparations. This proposed amendment also clarifies that the total cost of the analysis will include sample preparation fee(s) plus a per element fee of each metal analyzed. Existing §73.55(6)(B)(ii)(II) is proposed for deletion because silver is now analyzed using the "single metal, ICP" method that is described in existing §73.55(6)(B)(ii)(III). Existing §73.55(6)(B)(ii)(III) is proposed to be renumbered as (II) and to be amended by updating the method used for the analysis. Existing §73.55(6)(B)(ii)(IV) is proposed for deletion because these techniques and methods are obsolete and no longer performed by the department. Existing §73.55(6)(B)(ii)(V) is proposed to be renumbered as (III) and to be amended by updating the method used for this analysis.

Existing §73.55(6)(C) is proposed to be reformatted to improve readability. The first word in each of the clauses (i) - (xi) is proposed to be capitalized as part of the reformatting. In addition, subparagraph (C) is proposed to be amended by explaining when a sample preparation fee applies and that the total cost of an analysis will include the cost of sample preparation (if applicable) and the analytical method fee. Existing §73.55(6)(C)(i) is proposed to be amended proposed to be amended by changing “alpha spectrometry preparation” to “sample preparation” because the procedure is not specific to alpha spectrometry, and by updating the method used for this preparation. New §73.55(6)(C)(ii) is proposed to add the analysis of americium isotopes. New §73.55(6)(C)(iii) is proposed as part of the reformatting of the section. The analysis of gamma emitting isotopes has been moved to this location in the text and existing §73.55(6)(C)(iv) is proposed for deletion to improve readability. Existing §73.55(6)(C)(ii) is proposed to be renumbered as (iv). Existing §73.55(6)(C)(iii) is proposed to be renumbered as (v). Existing §73.55(6)(C)(v), (vi) and (vii) are proposed to be renumbered as (vi), (vii) and (xiii), respectively. These clauses are also proposed to be amended by updating the methods used to perform these analyses. Existing §73.55(6)(C)(viii) is proposed to be renumbered as (ix). Existing §73.55(6)(C)(ix) is proposed to be renumbered as (x) and to be amended by updating the method used for this analysis. Existing §73.55(6)(C)(x) is proposed to be renumbered as (xi). Existing §73.55(6)(C)(xi) is proposed to be renumbered as (xii) and to be amended by updating the method used for this analysis.

Existing §73.55(7) is proposed to be amended by replacing existing text “wipes/filters/cartridges” with the phrase “wipe, filter or cartridge” to provide clarity and

improve readability. Existing §73.55(7)(A) is proposed for deletion because the technique listed for this analysis is obsolete and no longer performed by the department. However, the analysis of lead in a solid sample using current technology is listed in §73.55(4)(A)(iii)(III). Existing §73.55(7)(B) is proposed to be renumbered as (A) and amended by adding an explanation of when a sample preparation fee applies and how the total cost of the analysis is calculated. The addition of this statement requires that the section be reformatted to improve readability. Existing §73.55(7)(B)(i) is proposed to be amended by changing “alpha spectrometry preparation” to “sample preparation” because the procedure is not specific to alpha spectrometry, and by updating the method used for this preparation. New §73.55(7)(B)(ii) is proposed to add the analysis of americium isotopes. Existing §73.55(7)(B)(ii) is proposed for deletion because this analysis is not required for wipe, filter or cartridge samples. New §73.55(7)(B)(iii) is proposed to add the analysis of gamma emitting isotopes. Existing §73.55(7)(B)(iii) and (iv) are proposed to be renumbered as (iv) and (v), respectively. Existing §73.55(7)(B)(vi) and (vii) are proposed to be amended by capitalizing the first word of each clause as part of the new format and updating the method used for these analyses. New §73.55(7)(B)(viii) is proposed to add the analysis of Radiou-228. Existing §73.55(7)(B)(viii)–(xi) are proposed to be renumbered as (x) - (xii), respectively. Additionally these clauses are proposed to be amended by capitalizing the first words of each clause as part of the new format and by updating the methods used for these analyses.

#### FISCAL NOTE

Dr. Grace Kubin Director, Laboratory Services Section has determined that for each year of the first five years the sections are in effect, there will be fiscal implications to the state as a result of administering the sections as proposed. It is impossible to predict the volume of testing the laboratory will receive under a revised fee schedule as well as the actual resulting revenues, but this rulemaking proposal reflects the fee calculation methodology required by SB 80. General revenue from the state for the LSS operations has been reduced by \$7.9 million (roughly 10%) for fiscal years 2012 - 2013. A portion of these revenues will be used to pay the bond debt on the laboratory building at the department’s Central Office main campus, as required by the General Appropriations Act (GAA). Dr. Kubin has also determined that there may be an increased financial burden placed on certain department programs, as well as on local health departments, health care providers, and others that submit specimens for testing if the fee for such testing is higher than the fee listed on the current fee schedule. Some of the impacted external submitters may be small or micro-businesses. However, the fees for some tests would go down under the proposed rule revisions, and so the fiscal impact would be determined by the combination of tests ordered by the particular submitter.

#### MICRO-BUSINESS AND SMALL BUSINESSES IMPACT ANALYSIS

A variety of entities, and some few persons, approach the department to purchase laboratory services. Many of those services are currently included in department rules with fee schedules which list amounts for each service. The proposed amendments in this rulemaking package would, among other things, update those listed fee amounts to reflect current costs to the department for providing those services. Some of these amendments would create increased fee amounts for specific tests (some fee amounts would be lower than what the department charges today). As mentioned above, the department has updated, documented, and implemented a cost allocation methodology to determine reasonable fees for these services, per SB 80. Fee increases

may not be offset by fee decreases, for a particular submitter, and thus may have an adverse economic impact on such a small or micro-business. Since this increase in fees will potentially impact all submitters, the department analysis under Economic Impact Statement below will also serve to satisfy the Small Business Impact Analysis required by Texas Government Code, §2006.002(a).

Texas Government Code, Chapter 2006, was amended by House Bill (HB) 3430, 80th Legislature, Regular Session, 2007, to require that, before adopting a rule that may have an adverse economic effect on small businesses, a state agency must first prepare an Economic Impact Statement and a Regulatory Flexibility Analysis.

The definition of a “small business” for purposes of this requirement was codified at Texas Government Code, §2006.001(2). Under this definition, a “small business” is an entity that is: for profit, independently owned and operated; and have fewer than 100 employees or less than \$6 million in annual gross receipts. Independently owned and operated businesses are self-controlling entities that are not subsidiaries of other entities or otherwise subject to control by other entities (and are not publicly traded).

Dr. Kubin has determined that there may be an adverse economic effect on those small businesses who submit specimens or samples to the LSS for analysis. Therefore, the following two analyses have been performed:

#### --ECONOMIC IMPACT STATEMENT

The Economic Impact Statement below does not explicitly cover “micro-businesses,” but Texas Government Code, §2006.002(a), requires an analysis of the impacts on such businesses. The department believes that some of the health care providers impacted by this proposed rule will be “micro-businesses” as well as “small businesses,” and thus the department’s analyses regarding the latter will also be applicable to the former. While it is true that a micro-business may be inherently somewhat less able to absorb new increased fees than a small business, the department believes that all businesses periodically experience increases in the cost of doing business. The revised fees in this package of proposed rulemaking amendments were derived using the mandated methodology in SB 80. Some fees went up, and some fees went down. The impact on a particular submitter will vary depending on, among other things, what particular tests are ordered by that submitter.

The laboratory does not collect information on the size of a submitter’s business, and so it does not have direct data at hand to definitely determine what percentage of its usual submitters are small or micro-businesses. However, the department has made an estimate, using an approach suggested in the Texas Office of the Attorney General guidance document associated with HB 3430. A review of The North American Industry Classification System (NAICS) on the U.S. Census Bureau website revealed four classifications that appear to represent all the submitter types for the LSS. Specific information on the number of small businesses listed for each of these codes in 2007 was found on the Texas Comptroller of Public Accounts Website. The NAICS codes that represent submitters to the LSS include: "6221" - General Medical and Surgical Hospitals (364 businesses listed of which 56 are defined as small businesses), "6214"- Outpatient Care Centers (578 businesses listed of which 442 are defined as small businesses), "6223" - Specialty (except Psychiatric and Substance Abuse) Hospitals (116 businesses listed of

which 80 are defined as small businesses), and "2213" - Water, Sewage and Other Systems (927 businesses listed of which 852 are defined as small businesses). The total number of businesses listed for these four classification codes is 1985. Of that number, only 1439 of the businesses listed (physician, clinics, hospitals and public water systems) are small businesses that could be affected by these rule amendments. This estimate corresponds to approximately 12% of the total number of submitters who submitted specimens to the LSS from January 1, 2010 through June 30, 2011, extrapolating based on the assumptions and data discussed above. The department believes that most of these 1430 small or micro-businesses are contractors for department programs such as Texas Health Steps and HIV Prevention. Therefore, the economic impact would be to the department program which hires each contractor, and it is those department programs which would ultimately have to absorb the fee increases. Subtracting these contractors from the total, the department believes this leaves a much smaller number of non-department contractor small and micro-businesses that could be impacted by any fee increases.

## --REGULATORY FLEXIBILITY ANALYSIS

Texas Government Code, Chapter 2006, was amended by HB 3430, 80th Legislature, Regular Session, 2007, to require, as part of the rulemaking process, state agencies to prepare a Regulatory Flexibility Analysis that considers alternative methods of achieving the purpose of the rule. The department has considered several options for minimizing the adverse impacts on small businesses.

Option 1 - Maintain fees at current levels. The department cannot implement this option because SB 80 requires the department to develop, document and implement procedures for setting fees for laboratory services, including updating and implementing a documented cost allocation methodology that determines reasonable costs for specific types of tests, as well as analyzing the department's costs and updating the fee schedule as needed in accordance with Texas Health and Safety Code, §12.032(c). The fees included in these proposed amendments to the rule were derived using that methodology required by SB 80, consistent with Texas Health and Safety Code, §12.032. Keeping the fees at current levels would not reflect the use of the required methodology. Additionally, fees have not been increased since 2007. Since that time the laboratory has experienced increases in costs of supplies and equipment necessary to perform laboratory testing. If the department does not adjust fees to cover the current costs of providing laboratory services, there will be a significant negative impact on the department's ability to maintain the current level of laboratory services.

Option 2 - Allow an exemption from fees for small and micro-businesses. Texas Health and Safety Code, §12.031, §12.032, and §12.0122 allow the department to charge fees to a "person" who receives public health services from the department, with the fee amount reflecting that which is necessary for the department to recover costs for performing laboratory services. Public health service fees generated by laboratory testing are appropriated to the LSS and are used to purchase supplies and equipment necessary for testing and to pay salaries of laboratory personnel (as well as to service the bond debt for the main department laboratory building in Austin). If the department were to allow an exemption from fees for small and micro-businesses, the reduction in revenues generated would significantly impact the department's ability to maintain the current level of laboratory services. Such a fee structure would also not reflect the SB 80 methodology discussed at Option 1, above. Additionally, Texas Health and Safety Code, §12.032(e), states that the department may not fail to provide the service at issue if the submitter

can demonstrate a financial inability to pay. So if a small or micro-business could demonstrate, through submission of appropriate documentation, that it truly was unable to pay for a laboratory service, that would be an option for such a business. It should be noted, though, that an inability to pay is not the same thing as not having budgeted sufficient funds to pay, for example. The submitter would have to demonstrate, to the agency's satisfaction (through submission of tax return and other documentation), that it simply did not have the funds at all to pay for the service in question.

#### Option 3. Lower fees for all submitters.

Texas Health and Safety Code, §12.031, §12.032, and §12.0122 allow the department to charge fees to a person who receives public health services from the department, and those fees cannot exceed the amount which is necessary for the department to recover costs for performing laboratory services. Public health service fees generated by laboratory testing are appropriated to the LSS and are used to purchase supplies and equipment necessary for testing and to pay salaries of laboratory personnel (as well as to service the bond debt for the main department's laboratory building in Austin). If the department were to lower fees on all tests for all submitters, the reduction in revenues generated would have a significantly negative impact the department's ability to maintain the current level of laboratory services. Such a fee structure would also not reflect the SB 80 methodology discussed at Option 1, above.

#### TAKINGS IMPACT ASSESSMENT.

The department has determined that the proposed rules do not restrict or limit an owner's right to his or her property that would otherwise exist in the absence of a government action and, therefore, do not constitute a taking under Texas Government Code, §2007.043.

#### PUBLIC BENEFIT

In addition, Dr. Kubin has also determined that for each year of the first five years the sections are in effect, the public will benefit from adoption of the sections. The public benefit anticipated as a result of enforcing or administering the sections will be the continued operation of the department's laboratories, which perform important public health activities every day. The public would also benefit by the department adjusting its fees to recover the costs associated with providing these laboratory services, which is money for LSS operations that would then reduce the amount of funding required to come from the public's tax dollars (i.e. General Revenue). The public would also benefit from the proposed changes designed to improve clarity, readability and user-friendliness of the rules, in that there is a public benefit whenever a state agency improves the efficiency of its operations. The public will also benefit from the list of laboratory services currently available being updated for accuracy.

#### PUBLIC COMMENT

Comments on the proposal may be directed to Norma Vela, Laboratory Services Section, Mail Code 1947, P.O. Box 149307, Austin, TX 78714-9347, (512) 771-6626 or by email at [norma.vela@dshs.state.tx.us](mailto:norma.vela@dshs.state.tx.us). Comments will be accepted for 30 days following the date of publication of this proposal in the *Texas Register*.

#### LEGAL CERTIFICATION

The Department of State Health Services General Counsel, Lisa Hernandez certifies that the proposed rules have been reviewed by legal counsel and found to be within the state agencies' legal authority to adopt.

#### STATUTORY AUTHORITY

The amendments are authorized under Texas Health and Safety Code, §12.031 and §12.032 which allow the department to charge fees to a person who receives public health services from the department, §12.034 which requires the department to establish collection procedures, §12.035 which required the department to deposit all money collected for fees and charges under §12.032 and §12.033 in the state treasury to the credit of the department's public health service fee fund, and §12.0122 which allows the department to enter into a contract for laboratory services; and Texas Government Code, §531.0055. and Texas Health and Safety Code, §1001.075, which authorize the Executive Commissioner of the Health and Human Services Commission to adopt rules and policies necessary for the operation and provision of health and human services by the department and for the administration of Texas Health and Safety Code, Chapter 1001.

The amendments, repeals, and new sections affect the Texas Health and Safety Code, Chapters 12 and 1001; and Texas Government Code, Chapter 531.

Sections for repeal.

§73.51. Fees.

§73.53. Fee Schedule for Training of Laboratorians.

§73.54. Fee Schedule for Clinical Testing and Newborn Screening.

§73.55. Fee Schedule for Chemical Analyses.

Legend: (Proposed Amendments)

Single Underline = Proposed new language

**[Bold Print and Brackets]** = Current language proposed for deletion

Regular Print = Current language

(No change.) = No changes are being considered for the designated subdivision

#### §73.31. Specimen Submission.

(a) Specimens submitted to the Department of State Health Services (department) shall meet the requirements specified in **[be in compliance with]** the department's Manual of Reference Services (manual) and other written instructions established by the department. The manual is posted on the department's website.

(b) Failure to submit a specimen as required will **[may]** result in the department's refusal to perform the requested services.

(c) (No change.)

#### §73.41. Sale of Laboratory Services.

(a) Purpose. This section details **[implements]** the procedures **[provisions of the Health and Safety Code, §12.0122]** concerning the sale of **[specific]** laboratory services by the Department of State Health Services (department). Certain of these services are set out by rule with specific charges for each listed service, as found in §§73.54 and 73.55 of this title (relating to Fee Schedule for Clinical Testing and Newborn Screening and Fee Schedule for Chemical Analyses). Provision of those listed services by the department may or may not involve a contract, at the department's discretion. Other services, not found in those fee schedules, that the department elects to sell will be memorialized in a contract between the department and the purchaser of such service(s). Entities which the department may contract with for the sale of laboratory services are limited to those found at Health and Safety Code, §12.0122.

(b) Definition of laboratory services. **[Definitions. The following words and terms, when used in this section, shall have the following meanings unless the context clearly indicates otherwise. (1)]** Laboratory services--include **[Include]** the sale of the following services: the evaluation and/or testing of samples, and the subsequent reporting of test or evaluation results for samples submitted to the laboratory; [,] certification, accreditation or approval of milk and shellfish laboratories and milk analysts; [of laboratories, training of laboratorians] and special projects. Laboratory Services, as limited by Health and Safety Code, §12.0122, **[including special projects for which the department's bureau contracts under this section shall]** do not include services related to tissue and cytology specimens [,] except for pap smears for recipients under federally funded programs. **[(2) Special projects--Include but are not limited to evaluating adequacy of new test procedures, analyzing samples by methods not routinely used or for analytes not routinely tested, special surveys and preparation of data packages.]**

(c) Charges. Fees for the sale of laboratory services found in the fee schedules at §§73.54 and 73.55 of this title were calculated to recover the department's costs associated with such activities. When laboratory services outside of those fee schedules are sold under this section, the contract executed for that sale shall include charges for the services in question which recover the department's costs associated with such activities. **[For each contract governed by Health and Safety Code, §12.0122 the charges for laboratory services shall be the reasonable charges negotiated by the department and the contracting party(s). The charges in a contract shall be sufficient to ensure the proper provision of the services to be performed and the reasonable recovery by the department of its costs relating to the contract.]**

(d) (No change.)

(e) A schedule of all fees is available upon request from the Department of State Health Services, 1100 West 49th Street, Austin, Texas 78756, (512)-776-7318. It is also available online in the Manual of Reference Services at <http://www.dshs.state.tx.us/lab>. **[Fees. This section does not affect the authority of the department to establish and collect fees for laboratory services under the Health and Safety Code, Chapter 12, Subchapter D, §§12.031-12.034.]**

(f) Payment of charges.

(1) The department will determine whether a charge must be paid with submission of the specimen or whether the department will bill later for the charge, unless otherwise stated in this section.

(2) A charge paid is non-refundable.

(3) Failure to pay a charge in a timely manner may result in the department's refusal to accept specimens or samples until all delinquent charges are paid.

Legend: (Proposed New Rules)

Regular print = Proposed new language

§73.51. Technical Definitions Associated with the Sale of Laboratory Services.

The following words and terms, when used in this section shall have the following meaning.

(1) All metals drinking water group--Aluminum, antimony, arsenic, barium, beryllium, total hardness (calculated), cadmium, calcium, chromium, copper, iron, lead, magnesium, manganese, mercury, nickel, selenium, silver, sodium, thallium, and zinc.

(2) Chlorinated pesticides and polychlorinated biphenyls (PCBs) in drinking water.

(A) Regulated compounds--Alachlor, aroclor 1016, aroclor 1221, aroclor 1232, aroclor 1242, aroclor 1248, aroclor 1254, aroclor 1260, atrazine, chlordane, endrin, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor simazine and toxaphene.

(B) Non-Regulated compounds--Aldrin, butachlor, dieldrin, etolachlor, metribuzin, propachlor, trifluralin.

(3) Gamma emitting isotopes--Gamma emitting isotopes with energies ranging from 59 keV to 1836 keV.

(4) ICP/ICP-MS drinking water metals group--Aluminum, arsenic, barium, beryllium, calcium, total hardness (calculated), chromium, copper, iron, lead, magnesium, manganese, nickel, silver, sodium, and zinc.

(5) Reagent water metal suitability group--cadmium, chromium, copper, iron, lead, manganese, nickel and zinc.

(6) Routine water mineral group--Alkalinity, chloride, conductance, fluoride, nitrate, pH, sulfate, and total dissolved solids.

(7) Volatile organic compounds (VOC).

(A) In air--1,1,1-Trichloroethane, 1,2,4-trimethylbenzene, 1,4-dichlorobenzene, 2-ethoxy ethyl acetate, 2-heptanone, 2-propanol, acetone, alpha-pinene, benzene, butoxy ethanol, butyl acetate, chloroform, cumene (isopropyl benzene), cyclohexane, cyclohexanone, ethanol, ethyl acetate, ethyl methacrylate, ethylbenzene, heptane, hexachloroethane, isoamyl acetate, iso-butanol, limonene, m/p-xylene, methyl ethyl ketone (MEK), methyl isobutyl ketone, methyl methacrylate, naphthalene, n-propyl acetate, o-xylene, phenol, sec-butanol, styrene, tetrachloroethylene, tetrahydrofuran, toluene, trichloroethylene.

(B) In drinking water.

(i) Regulated compounds-- 1,1,1-Trichloroethane, 1,1,2-trichloroethane, 1,1-dichloroethylene, 1,2,4-trichlorobenzene, 1,2-dichloroethane, 1,2-dichloropropane, benzene, carbon tetrachloride, cis-1,2-dichloroethylene, dichloromethane, ethylbenzene, monochlorobenzene, o-dichlorobenzene, para-dichlorobenzene, styrene, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, trichloroethylene, vinyl chloride, xylenes (total).

(ii) Monitored compounds-- 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane, 1,1-dichloroethane, 1,1-dichloropropene, 1,2,3-trichlorobenzene, 1,2,3-trichloropropane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 1,3-dichlorobenzene, 1,3-dichloropropane, 2,2-dichloropropane, 2-chlorotoluene, 4-chlorotoluene, 4-

isopropyltoluene, bromobenzene, bromochloromethane, bromodichloromethane, bromoform, bromomethane, chloroethane, chloroform, chloromethane, cis-1,3-dichloropropene, dibromochloromethane, dibromomethane, dichlorodifluoromethane, hexachlorobutadiene, isopropylbenzene, naphthalene, n-butylbenzene, n-propylbenzene, s-butylbenzene, t-butylbenzene, trans-1,3-dichloropropene, trichlorofluoromethane.

(iii) Other compounds--2-Butanone (MEK), 2-hexanone, 4-methyl-2-pentanone (MIBK), acetone, acrylonitrile, carbon disulfide, ethyl methacrylate, iodomethane, methyl methacrylate, methyl-t-butyl ether (MTBE), tetrahydrofuran, vinyl acetate.

(8) Trihalomethanes (THM)--Bromodichloromethane, bromoform, chloroform, dibromochloromethane, trichloromethanes, and total THM.

(9) Carbamate insecticides.

(A) Regulated compounds--Aldicarb, aldicarb sulfone, aldicarb sulfoxide, carbofuran, oxamyl.

(B) Monitored compounds--Baygon, carbaryl, 3-hydroxycarbofuran, methiocarb, methomyl.

(10) Dibromochloropropane (DBCP) and ethylene dibromide (EDB).

(A) Regulated compounds--Ethylene dibromide, dibromochloropropane.

(B) Non-regulated compound--1,2,3-Trichloropropane.

(11) Haloacetic acids.

(A) Regulated compounds--Dibromoacetic acid, dichloroacetic acid, monobromoacetic acid, monochloroacetic acid, trichloroacetic acid, total of the 5 regulated haloacetic acids (HAA5).

(B) Monitored compounds--Bromochloroacetic acid, dalapon.

(12) Chlorophenoxy herbicides.

(A) Regulated compounds--2,3-Dichlorophenoxyacetic acid (2,4-D), 2(2,4,5-Trichlorophenoxy)propionic acid (2,4,5-TP)(Silvex), dalapon, dinoseb, pentachlorophenol, picloram.

(B) Non-Regulated compounds--2,4,5-Trichlorophenoxyacetic acid (2,4,5-T), 4-(2,4-Dichlorophenoxy)butyric acid (2,4,-DB), 3,5-dichlorobenzoic acid, acifluofen, bentazon, chloramben, dicamba, dichlorprop, quinclorac.

(13) Polycyclic Aromatic Hydrocarbon (PHA)/Phthalates, Synthetic Organic Contaminants Group 5 (SOC 5).

(A) Regulated Compounds--Alachlor, alpha-chlordane, atrazine, benzo(a)pyrene, chlordane, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, endrin, gamma-chlordane, heptachlor, heptachlor epoxide, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, pentachlorophenol, simazine, toxaphene, trans-nonachlor.

(B) Monitored Compounds--2,2',3,3',4,4',6-heptachlorobiphenyl, 2,2',3',4,6-pentachlorobiphenyl, 2,2',4,4',5,6 hexachlorobiphenyl, 2,2',3,3',4,5',6,6',-octachlorobiphenyl, 2,2',4,4'-tetrachlorobiphenyl, 2,4,5-trichlorobiphenyl, 2,3-dichlorobiphenyl, 2-chlorobiphenyl, acenaphthene, acenaphthylene, aldrin, anthracene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, bromacil, butachlor, butylbenzylphthalate, chrysene, dibenz(a,h)anthracene, dieldrin, diethylphthalate, dimethylphthalate, di-n-butylphthalate, fluorene, indeno(1,2,3-cd)pyrene, metolachlor, metribuzin, naphthalene, phenanthrene, prometon, propachlor, pyrene, trifluralin.

(14) Semi-Volatile Organic Compounds.

(A) Pesticides--Alachlor, aldrin, atrazine, bromacil, butachlor, alpha-chlordane, gamma-chlordane, trans-nonachlor chlordane, dieldrin, heptachlor, hexachlorobenzene, hexachlorocyclopentadiene, lindane, methoxychlor, metolachlor, metribuzin, pentachlorophenol, promethon, propachlor, simazine, trifluralin.

(B) Polycyclic Aromatic Hydrocarbons (PAHs)--Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoroanthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, fluorene, indeno(1,2,3,c,d)pyrene, naphthalene, phenanthrene, pyrene.

(C) PCBs--2-Chlorobiphenyl, 2,3-dichlorobiphenyl, 2,4,5-trichlorobiphenyl, 2,2',4,4'-tetrachlorobiphenyl, 2,2',3',4,6-pentachlorobiphenyl, 2,2',4,4',5,6'-hexachlorobiphenyl, 2,2',3,3',4,4',6-heptachlorobiphenyl, 2,2',3,3',4,5',6,6'-octachlorobiphenyl.

(D) Phthalates--butylbenzylphthalate, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalate, diethylphthalate, dimethylphthalate, di-n-butylphthalate.

§73.54. Fee Schedule for Clinical Testing and Newborn Screening.

(a) Tests performed on clinical specimens, Austin Laboratory.

(1) Biochemistry and genetics.

(A) Newborn screening.

(i) Newborn screening panel--\$33.60. (Fees are based on the newborn screening specimen collection kit which is a department approved, bar-coded, FDA approved medical specimen collection device that includes a filter paper collection device, parent information sheet, specimen storage and use information, parent disclosure request form, demographic information sheet, and specimen collection directions with protective wrap-around cover for the specimen that should be used to submit a newborn's blood specimen for the first or second screen, repeat or follow-up testing and which includes the cost of screening).

(ii) Phenylalanine/tyrosine--\$16.61.

(B) Clinical chemistry.

(i) Antibody identification--\$260.70.

(ii) Antibody screen--\$20.51.

(iii) Antibody titer--\$46.07.

(iv) Blood typing ABO--\$20.51.

(v) Cholesterol--\$4.07.

(vi) Glucose:

(I) glucose fasting--\$3.96;

(II) glucose post prandial (1 hour)--\$3.96;

(III) glucose post prandial (2 hour)--\$7.91;

(IV) glucose random--\$3.96;

(V) glucose tolerance test 1 hour--\$7.91;

(VI) glucose tolerance test 2 hour--\$11.87; and

(VII) glucose tolerance test 3 hour--\$15.82.

(vii) Hematocrit--\$6.62.

(viii) Hemoglobin--\$1.53.

(ix) Hemoglobin electrophoresis--\$3.98.

(x) High-density lipoprotein (HDL)--\$7.14.

(xi) Lead--\$3.47.

(xii) Lipid panel (consists of cholesterol, triglycerides, high density lipoprotein (HDL), and low density lipoprotein (LDL))--\$10.57.

(xiii) Red blood cell antigens, other than ABO or Rh(D)--\$260.70.

(xiv) RH typing--\$20.51.

(C) DNA Analysis.

(i) Cystic fibrosis mutation panel--\$147.22.

(ii) Hemoglobin (Hb) DNA:

(I) HbS, HbC, HbE, HbD or HbO-Arab--\$186.84;

(II) common beta-thalassemia mutation--\$213.21;

and

(III) beta-globin gene sequencing--\$783.42.

(iii) Phenylketonuria (PKU) full gene sequencing--\$1726.03.

(iv) Galactosemia common mutation panel--\$383.21.

(v) Medium chain acyl-CoA dehydrogenase deficiency (MCAD), common mutation panel--\$280.79.

(vi) Very long chain acyl-CoA dehydrogenase deficiency (VLCAD), full gene sequencing--\$1596.93.

(2) Microbiology.

(A) Bacteriology. Charges for bacteriology testing will be based upon the actual testing performed as determined by suspect organisms, specimen type and clinical history provided.

(i) Aerobic culture from clinical specimen--\$367.37.

(ii) Anaerobic identification, pure culture--\$146.70.

\$112.67.

(iii) Anaerobic culture from clinical specimen--\$197.10.

(iv) Bacteriology pulsed field gel electrophoresis (PFGE)--

(v) Cholera, culture confirmation--\$32.73.

(vi) Culture, stool--\$158.07.

(vii) Definitive identification:

(I) bacillus--\$175.88;

(II) group B streptococcus (Beta strep)--\$113.70;

(III) *Bordetella*--\$147.77;

(PCR)--\$32.11;

(IV) *Bordetella pertussis*, polymerase chain reaction

(V) *Campylobacter*--\$165.44;

(VI) enteric bacteria--\$243.97;

(VII) gram negative rod--\$261.00;

(VIII) gram positive rod--\$226.12;

(IX) *Haemophilus*--\$242.23;

(X) *Legionella*--\$265.57;

(XI) *Neisseria meningitidis*--\$390.52;

(XII) pertussis--\$287.98;

(XIII) *Staphylococcus*--\$188.88; and

(XIV) *Streptococcus*--\$258.91.

(viii) Enteric bacteria:

(I) culture confirmation--\$158.53;

(II) *Shigella* serotyping--\$120.38; and

- (III) *Salmonella* serotyping--\$86.63.
- (ix) Enterohaemorrhagic *Escherichia Coli* (EHEC), shiga-like toxin assay--\$38.60.
- (x) *Escherichia coli* (*E.coli*) O157:H7, culture confirmation--\$26.64.
- (xi) *Haemophilus*;
  - (I) culture confirmation, serological--\$138.64; and
  - (II) isolation from clinical specimen--\$100.18.
- (xii) *Neisseria meningitidis*, serotyping--\$167.48.
- (xiii) Shiga toxin producing *E.coli*, PCR--\$36.60.
- (xiv) Toxic shock syndrome toxin I assay (TSST 1)--\$125.25.
- (xv) *Vibrio cholerae*, serotyping--\$32.73.

(B) Emergency preparedness.

(i) Biological threat agent analysis.

(I) Definitive identification:

- (-a-) *Bacillus anthracis*--\$420.73;
- (-b-) *Brucella* species--\$669.70;
- (-c-) *Burkholderia pseudomallei*--\$519.72;
- (-d-) *Francisella tularensis*--\$534.55; and
- (-e-) *Yersinia pestis*--\$485.23.

(II) Culture:

- (-a-) all aerobes--\$153.51; and
- (-b-) Botulinum (human)--\$231.82.

(III) Toxin Assay, Botulinum--\$235.57.

(IV) PCR:

- (-a-) *Bacillus anthracis*--\$69.16;
- (-b-) *Brucella abortus*--\$164.20;
- (-c-) *Burkholderia pseudomallei*--\$50.88;
- (-d-) *Coxiella burnetii* -\$229.31;
- (-e-) *Francisella tularensis*--\$165.95;
- (-f-) Orthopox--\$124.27;
- (-g-) Vaccinia--\$165.78;
- (-h-) Variola--\$165.78;
- (-i-) Varicella zoster virus--\$221.72;
- (-j-) *Yersinia pestis*--\$51.36; and
- (-k-) Unknown biological threat agent--

\$273.36.

(ii) Chemical threat agent analysis.

(I) Abrine/ricinine, LC/MS-MS--\$62.25.

(II) Arsenic/selenium in urine, ICP-DRC (Dynamic reaction cell)-MS--\$176.62.

(III) Cyanide in blood, gas chromatography/ mass spectrometry (GC/MS)--\$287.05.

(IV) Metabolic Toxin Panel (monochloroacetate and monofluoro acetate in urine, LC/MS-MS--\$93.38.

(V) Metals in blood (mercury, lead, cadmium), inductively coupled plasma mass spectrometry (ICP/MS)--\$194.64.

(VI) Metals in urine (antimony, barium, beryllium, cadmium, cesium, cobalt, lead, molybdenum, platinum, titanium, tungsten, uranium), ICP/MS--\$173.25.

(VII) Organophosphorus nerve agent, LC/MS-MS --  
\$81.28.

(VIII) Tetramine, gas chromatography/mass  
selective detector (GC/MSD)--\$183.05.

(IX) Tetranitromethane metabolite in urine (4-  
hydroxy-2-nitrophenylacetic acid (HNPA)), liquid chromatography, tandem mass  
spectrometry (LC/MS-MS)--\$62.21.

(X) Volatile organic compounds in blood, GC/MS-  
-\$124.85.

(C) Mycobacteriology/mycology.

(i) Acid fast bacilli (AFB).

(I) Clinical specimen, AFB isolation and  
identification.

(-a-) Blood culture--\$138.97.

(-b-) Culture, other than blood--\$32.04.

(-c-) Direct detection by high-performance  
liquid chromatography (HPLC)--\$124.90.

(-d-) Identification of AFB isolate:

(-1-) HPLC--\$66.26;

(-2-) Accuprobe--\$81.40;

(-3-) biochemical, basic--\$132.35;

and

(-4-) biochemical, complex--

\$472.84.

(-e-) Nucleic acid amplification for  
*Mycobacterium tuberculosis* (*M. tuberculosis*) complex--\$197.41.

(-f-) Specimen concentration--\$5.38.

(-g-) Smear--\$11.59.

(II) Referred AFB isolate identification.

\$133.88. (-a-) Identification, including HPLC--

(-b-) Biochemical identification:

(-1-) basic--\$132.35; and

(-2-) complex--\$472.84.

\$81.40. (-c-) Isolate identification, Accuprobe--

(ii) Actinomycete, Aerobic:

(I) Identification--\$106.96; and

(II) HPLC--\$138.05.

(iii) Fungi isolate identification:

(I) yeast --\$90.34;

(II) mold--\$65.98; and

(III) mold by Accuprobe--\$81.40.

(iv) *Mycobacterium Kansasii*, Drug susceptibility, agar proportion drug, Rifampin--\$185.96.

(v) *Mycobacterium tuberculosis* (*M. tuberculosis*) complex drug susceptibility.

(I) AGAR proportion drugs.

(-a-) Capreomycin--\$30.41.

(-b-) Ethambutol--\$30.41.

(-c-) Ethionamide--\$30.41.

(-d-) Isoniazid--\$30.41.

(-e-) Kanamycin--\$30.41.

(-f-) Ofloxacin--\$30.41.

(-g-) Rifabutin--\$30.41.

(-h-) Rifampin--\$30.41.

(-i-) Streptomycin--\$30.41.

(II) Primary drug, BACTEC.

(-a-) Ethambutol--\$37.40.

(-b-) Isoniazid--\$37.40.

(-c-) Rifampin--\$37.40.

(-d-) Pyrazinamide (PZA)--\$98.76.

(III) Secondary drug, BACTEC.

(-a-) Ethionamide --\$23.24.

(-b-) Kanamycin--\$23.24.

(-c-) Ofloxacin--\$23.24.

(-d-) Rifabutin--\$23.24.

(-e-) Streptomycin--\$23.24.

(D) Parasitology.

(i) Blood parasite examination, thick and thin Giemsa--  
\$181.79.

(ii) Fecal ova and parasite examination, concentration and  
trichrome stain--\$67.41.

(iii) Malaria identification, (PCR)--\$141.79.

(iv) Miscellaneous Parasite examination:

(I) acid fast stain--\$74.17;

(II) chromotrope stain--\$140.55;

(III) Giemsa stain--\$177.55;

(IV) tissue preparation--\$ 73.55;

(V) trichrome stain--\$96.98; and

(VI) wet mount--\$73.55.

(v) Parasite identification, PCR--\$141.79.

(vi) Pinworm examination--\$37.50.

(vii) Urine ova and parasite exam--\$56.36.

(viii) Worm identification:

(I) simple--\$46.44; and

(II) complex--\$120.08.

(E) Serology.

(i) Arbovirus:

(I) Immunoglobulin G (IgG) (includes: Dengue, St. Louis Encephalitis, West Nile Virus)--\$147.78;

(II) Immunoglobulin M (IgM) (includes: Dengue, St. Louis Encephalitis, West Nile Virus)--\$82.45; and

(III) PCR West Nile Virus (WNV) --\$57.87.

(ii) *Aspergillus*--\$84.13.

(iii) *Brucella*--\$74.52.

(iv) Cat scratch fever (*Bartonella*)--\$171.30.

(v) Cytomegalovirus (CMV):

(I) IgG--\$399.97; and

(II) IgM--\$161.02.

(vi) *Ehrlichia* indirect fluorescent antibody (IFA)--\$174.20.

(vii) Fungus:

(I) fungal identification (blastomycosis, coccidioidomycosis, histoplasmosis)--\$142.05; and

(II) fungal panel (blastomycosis, coccidioidomycosis, histoplasmosis)--\$130.55.

(viii) Hantavirus IgG/IgM--\$362.05.

(ix) Hepatitis A:

(I) IgM--\$317.74; and

(II) total--\$219.60.

(x) Hepatitis B:

(I) core antibody--\$143.90;

(II) core IgM antibody--\$295.64;

(III) surface antibody (Ab)--\$103.84; and

(IV) surface antigen (Ag)--\$51.45.

(xi) Hepatitis BeAb--\$109.20.

(xii) Hepatitis BeAg--\$195.14.

(xiii) Hepatitis C (HCV)--\$25.68.

(xiv) Human immunodeficiency virus (HIV):

(I) HIV 1, 2, plus 0 screen--\$11.40;

(II) serum, multi-spot--\$40.74.

(xv) Human immunodeficiency virus-1 (HIV-1):

(I) enzyme immunoassay (EIA) Dried Blood Spots (DBS)--\$14.32;

(II) enzyme immunoassay (EIA) oral fluid--\$69.99;

(III) Nucleic acid amplification test (NAAT)--\$7.79;

- (IV) western blot serum--\$277.23;
- (V) western blot DBS--\$277.23; and
- (VI) western blot oral--\$324.71.
- (xvi) *Legionella*--\$168.42.
- (xvii) Lyme (*Borrelia*) IgG/IgM Panel--\$706.25.
- (xviii) Measles, mumps, rubella – *Varicella zoster* virus (MMR-VCV) Magnetic Immunoassay (MIA)--\$345.63.
- (xix) Mumps:
  - (I) epidemic parotitis IgG--\$154.46; and
  - (II) epidemic parotitis IgM--\$251.96.
- (xx) Q-Fever--\$234.97.
- (xxi) QuantiFERON (tuberculosis serology)--\$84.45.
- (xxii) *Rickettsia* panel (includes: Rocky Mountain spotted fever and typhus)--\$134.14.
- (xxiii) Rubella:
  - (I) IgM--\$329.37; and
  - (II) screen--\$24.13.
- (xxiv) Rubeola:
  - (I) IgM--\$210.24; and
  - (II) Screen (IgG)--\$165.16.
- (xxv) Schistosoma enzyme immunoassay (EIA)--\$ 134.49.
- (xxvi) Strongyloide enzyme immunoassay (EIA)--\$73.45.
- (xxvii) Syphilis:
  - (I) Confirmation fluorescent treponemal antibody absorbed (FTA-ABS)--\$80.20;

\$27.02; and

(II) Confirmation particle agglutination (TP-PA)--

(III) Rapid plasma reagin (RPR):

(-a-) screen (qualitative)--\$2.89; and

(-b-) titer (quantitative)--\$12.88.

(xxviii) Toxoplasmosis--\$357.49.

(xxix) Tularemia (*Francisella tularensis*)--\$54.53.

(xxx) *Varicella zoster virus* (VZV)--\$345.63.

(xxxi) *Yersinia pestis* (Plague), serum--\$237.18.

(F) Virology.

(i) Adenoviruses, PCR--\$304.38.

(ii) Arbovirus identification, PCR:

(I) Eastern Equine Encephalitis (EEE)--\$60.39;

(II) St. Louis Encephalitis (SLE)--\$60.18; and

(III) Western Equine Encephalitis (WEE)--\$60.41.

(DFA)--\$152.93.

(iii) Arbovirus identification, direct fluorescent antibody

(iv) Coxsackievirus, DFA--\$84.37.

(v) Culture:

(I) clinical--\$135.46; and

(II) reference--\$96.66.

(vi) Echovirus, DFA--\$115.80.

(vii) Electron microscopy (includes observation, electron microscopy and photography)--\$527.91.

(viii) Enterovirus:

(I) DFA--\$162.96; and

(II) PCR--\$393.27.

(ix) *Herpes simplex virus* 1 and 2, identification, DFA--\$96.52.

(x) Influenza A/B identification, DFA--\$54.02.

(xi) Influenza, culture--\$248.00.

(xii) Influenza typing, PCR--\$248.

(xiii) Norovirus (Norwalk-like virus) PCR--\$55.77

(xiv) Rotovirus, PCR--\$55.75.

(xv) Viral agent:

(I) isolation--\$172.70;

other--\$147.83; and

(II) indirect fluorescent antibody (IFA) detection,

respiratory--\$95.34.

(III) indirect fluorescent antibody (IFA) detection,

(xvi) Viral molecular sequencing--\$400.65.

(xvii) Virus detection hemadsorption--\$42.18.

(xviii) Virus isolation, mouse inoculation--\$1029.50.

(xix) Virus typing, hemagglutination inhibition--\$67.49.

(b) Tests performed on clinical specimens, South Texas Laboratory. Specimens that must be sent to a reference lab for testing will be billed at the reference laboratory price plus a \$3.00 handling fee.

(1) Bacteriology.

screen--\$9.94.

(A) Aerobic isolation, definitive identification, *Streptococcus*

(B) Fecal occult blood--\$3.94.

(C) Fecal white blood cell (WBC) smear--\$11.67.

(D) KOH exam except for skin, hair nails--\$7.85.

(E) Wet mount, vaginal--\$9.14.

(2) Clinical Chemistry.

(A) Albumin, serum, urine or other source--\$1.27.

(B) Alkaline phosphatase--\$1.37.

(C) Amylase, serum--\$7.37.

(D) Aspartate aminotransferase (AST)--\$1.32.

(E) Bilirubin, total--\$1.30.

(F) Blood urea nitrogen (BUN)--\$1.48.

(G) Calcium--\$1.64.

(H) Carbon dioxide (CO<sub>2</sub>)--\$1.35.

(I) Chloride, serum--\$1.35.

(J) Cholesterol:

(i) total--\$1.36;

(ii) High-density lipoprotein (HDL)--\$1.37; and

(iii) Low-density lipoprotein (LDL)--\$2.20.

(K) Creatine kinase (CK) assay--\$2.79.

(L) Creatinine assay--\$1.30.

(M) Electrolyte panel- includes anion gap (calculated), CO<sub>2</sub>, chloride, potassium, and sodium--\$2.83.

(N) Gamma-glutamyl transferase (GGT)--\$3.90.

(O) Glucose:

(i) Glucose tolerance test, 2 hour--\$1.37; and

(ii) postprandial, 0 and 2 hours--\$1.34.

(P) Hepatic function panel- includes Alanine phosphatase (ALT), albumin, alkaline phosphatase, AST, bilirubin (direct and total), and protein (total)--\$2.47.

(Q) Hemoglobin A1C--\$10.37.

(R) Iron binding capacity, total--\$8.55.

(S) Iron, total--\$7.08.

(T) Lactic acid dehydrogenase (LDH)--\$8.17.

(U) Lipase--\$20.43.

(V) Lipid profile panel--includes cholesterol, HDL, and triglycerides--\$8.84.

(W) Magnesium--\$7.82.

(X) Metabolic panels:

(i) basic panel - includes calcium, carbon dioxide (CO<sub>2</sub>), chloride, creatinine, glucose, potassium, sodium and blood urea nitrogen (BUN)--\$3.65; and

(ii) comprehensive panel - includes alanine amino transferase (ALT), albumin, alkaline phosphatase, AST, bilirubin (total), calcium, CO<sub>2</sub>, chloride, creatinine, glucose, potassium, protein (total), sodium, and BUN--\$6.39.

(Y) Phosphorus--\$11.56.

(Z) Potassium--\$1.35.

(AA) Protein, total--\$1.41.

(BB) Renal function panel- includes albumin, calcium, CO<sub>2</sub>, chloride, creatinine, phosphate, potassium, sodium, and BUN--\$18.13.

(CC) Sodium--\$1.35.

(DD) Triglycerides--\$1.36.

(EE) Tuberculosis panel- includes-ALT, alkaline phosphatase, AST, bilirubin (total), cholesterol, creatinine, GGT, BUN, and uric acid (blood)--\$10.36.

(FF) Uric acid--\$4.07.

(3) Hematology.

(A) CBC (complete blood count) with smear review--\$9.11.

(B) CBC complete, automated with differential--\$1.51.

(C) Differential, manual--\$9.89.

(D) Hematocrit--\$6.01.

(E) Hemoglobin, total--\$6.01.

(F) Sedimentation rate--\$11.38.

(4) Immunology.

(A) Pregnancy test:

(i) serum--\$4.40; and

(ii) urine--\$4.24.

(B) Rheumatoid factor--\$4.73.

(5) Microbiology.

(A) Mycobacteriology, Acid fast bacillus (AFB).

(i) Concentration--\$4.31.

(ii) Culture, any source--\$49.89.

(iii) Drug susceptibility studies:

(I) conventional susceptibility (each drug)--\$36.45;

(II) MGIT susceptibility (each drug)--\$92.69.

(iv) Identification, referred isolates, DNA probe--\$44.63.

and

- (v) Smear only--\$5.09.
- (B) Parasitology, ova and parasites (concentration and trichrome stain)--\$67.17.
- (C) Serology, syphilis.
  - (i) Rapid plasma reagin (RPR):
    - (I) screen (qualitative)--\$7.99; and
    - (II) titer (quantitative)--\$7.99.
  - (ii) Confirmation particle agglutination (TP-PA)--\$9.30.
- (D) Wet mount, vaginal--\$9.14.
- (6) Special chemistry.
  - (A) Ferritin--\$22.31.
  - (B) Follicle stimulating hormone (FSH)--\$15.10.
  - (C) Leuteinizing hormone (LH)--\$17.83.
  - (D) Prolactin--\$18.07.
  - (E) Prostate specific antigen (PSA), total--\$27.90.
  - (F) Thyroxin (T4), free, prenatal--\$35.53.
  - (G) Thyroid stimulating hormone (TSH), prenatal--\$9.41.
  - (H) Tri-iodothyronine (T3) uptake, total, prenatal--\$19.10.
- (7) Urinalysis.
  - (A) Creatinine clearance test--\$12.00.
  - (B) Protein, total, 24 hour--\$5.82.
  - (C) Microscopy with urinalysis (UA)--\$32.25.
  - (D) Urinalysis, no reflex--\$5.24.
  - (E) Urine microalbumin, random--\$5.69.

(c) Tests performed on clinical specimens, Women's Health Laboratory.

(1) Bacteriology.

(A) Bacterial culture, routine:

- (i) body fluid--\$33.19;
- (ii) eye, ear, and nasopharynx (np)--\$36.67;
- (iii) sputum/trach (tracheostomy)--\$35.35;
- (iv) stool--\$37.35;
- (v) throat--\$26.57;
- (vi) urine--\$11.03;
- (vii) urogenital--\$40.14; and
- (viii) wound--\$92.82.

(B) Fecal occult blood--\$32.65.

(C) Fungus.

(i) clinical,definitive identification:

- (I) mold, nocardia--\$87.80; and
- (II) yeast identification--\$49.28.

(ii) reference culture:

- (I) genital/urine--\$49.46;
- (II) routine with KOH--\$29.44;
- (III) skin, hair, nail--\$71.85; and
- (IV) tissue with KOH--\$86.85.

(D) Genetic probe.

- (i) Group B streptococcus--\$18.97.

(ii) Gonorrhea/Chlamydia (GC/CT):

(I) amplified GenProbe--\$19.72; and

(II) CT and GC, DNA--\$19.72.

(E) Gram stain smear with fecal WBC:

(i) fecal leukocytes--\$6.97; and

(ii) gram stain--\$11.20.

(F) KOH prep--\$6.88.

(G) Wet mount, vaginal--\$18.05.

(2) Cytology.

(A) Pap smear:

(i) conventional--\$13.28;

(ii) liquid based--\$25.45; and

(iii) physician interpretation--\$5.82.

(B) Non-gynecological (non-GYN) cytology--\$66.78.

(3) Clinical chemistry.

(A) Albumin, serum, urine or other source--\$1.27.

(B) Alkaline phosphatase--\$1.37.

(C) Alanine aminotransferase (ALT)--\$6.50.

(D) Amylase, serum--\$7.37.

(E) AST--\$1.32.

(F) Beta-human chorionic gonadotropin (beta-HCG) pregnancy

test:

(i) qualitative--\$9.15; and

(ii) quantitative--\$27.18.

(G) Blood typing:

(i) indirect COOMBS (AB screen)--\$26.31; and

(ii) ABO RH--\$15.36.

(H) BUN--\$1.48.

(I) CO2--\$1.35.

(J) Chloride, serum--\$1.35.

(K) Cholesterol, total--\$1.36.

(L) Cord blood panel – includes antihuman globulin tests(COOMBS); direct, each antiserum, blood typing ABO and RH (D)--\$10.83.

(M) Creatine Kinase--\$2.79

(N) Creatinine:

(i) 24 hour urine--\$16.37; and

(ii) 24 hour urine creatinine clearance--\$27.66.

(O) Electrolyte panel- includes anion GAP (calculated) CO2, chloride, potassium, sodium--\$2.83.

(P) Glucose:

(i) one half hour--\$5.96;

(ii) one hour--\$6.00;

(iii) 2 specimens--\$9.27;

(iv) 3 specimens--\$12.54;

(v) 4 specimens--\$15.84;

(vi) fasting--\$5.98;

(vii) gestational, 2 specimens--\$9.27;

(viii) postprandial, 0 and 2 hours--\$1.34; and

(ix) random--\$5.96.

(Q) Hematology.

(i) CBC automated, with differential--\$1.51.

(ii) CBC automated, without differential:

(I) CBC--\$12.13;

(II) eosinophil screen--\$6.63; and

(III) hematocrit--\$6.01.

(iii) CBC with manual differential--\$9.99.

(iv) Hemoglobin and hematocrit--\$6.78.

(v) Hemoglobin, total--\$6.01.

(R) Hepatic function panel--includes ALT, albumin, alkaline phosphatase, AST, bilirubin (direct and total), and protein (total)--\$2.47.

(S) High risk panel--includes cholesterol, glucose, and triglycerides--\$9.19.

(T) Lipid profile panel--includes cholesterol, HDL and triglycerides--\$8.84.

(U) Liver function panels:

(i) liver function test (LFT) 4--includes ALT, alkaline phosphatase, AST and bilirubin (total)--\$15.43; and

(ii) LFT 6 – includes ALT, alkaline phosphatase, AST, bilirubin(total), creatinine, and BUN--\$12.71.

(V) LDH, total--\$19.95.

(W) Metabolic panels:

(i) basic panel - includes calcium, CO2, chloride, creatinine, glucose, potassium, sodium and BUN--\$3.65; and

(ii) comprehensive panel - includes ALT, albumin, alkaline phosphatase, AST, bilirubin (total), calcium, CO<sub>2</sub>, chloride, creatinine, glucose, potassium, protein (total), sodium, and BUN--\$5.38.

(X) Obstetric (OB) panels:

(i) OB – includes ABO RH, antibody screen, RBC, hepatitis B surface Ag, RPR, and rubella antibody--\$80.18; and

(ii) OB with CBC – includes ABO HR, antibody screen RBC, CBC with differential, hepatitis B surface Ag, RPR and rubella antibody--\$91.58.

(Y) Phosphorus--\$11.56.

(Z) Potassium, urine--\$15.49.

(AA) Protein:

(i) total--\$1.41; and

(ii) total, 24 hour urine--\$13.34.

(BB) Sodium--\$1.35.

(CC) Triglycerides--\$1.36.

(DD) Uric acid--\$4.07.

(EE) Urinalysis:

(i) with microscopic examination--\$32.25;

(ii) with microscopic examination and reflex culture--  
\$20.74;

(iii) bilirubin icotest confirmation--\$3.74;

(iv) chemstrip UGK--\$2.37;

(v) protein SSA confirmation--\$2.49; and

(vi) urine analysis without microscopic examination--  
\$17.00.

(4) Mycobacteriology.

- (A) Acid fast bacillus (AFB).
  - (i) Anaerobic or aerobic identification--\$30.77.
  - (ii) Culture, Accuprobe--\$62.46.
  - (iii) Culture and smear, any source--\$59.14.
  - (iv) Drug susceptibility studies direct and indirect, each drug--\$47.58.
  - (v) Smear only--\$5.09.
- (B) Broth dilutions, minimum inhibitory concentration (MIC):
  - (i) BACTEC--\$140.91; and
  - (ii) MGIT--\$98.20.
- (C) Rifabutin, agar susceptibility--\$47.57.
- (5) Serology.
  - (A) Hepatitis B surface antigen (Ag)--\$14.68.
  - (B) Human papillomavirus (HPV)--\$68.68.
  - (C) Human immunodeficiency virus-1 (HIV-1):
    - (i) enzyme immunoassay (EIA) DBS--\$16.07;
    - (ii) enzyme immunoassay (EIA) oral fluid--\$16.07;
  - (D) Rubella, IgG--\$16.37.
  - (E) Syphilis.
    - (i) Rapid plasma reagin (RPR):
      - (I) screen (qualitative)--\$7.99; and
      - (II) titer (quantitative)--\$7.99.
    - (ii) Confirmation particle agglutination (TP-PA)--\$9.30.
- (6) Surgical pathology:

- (A) level I--\$19.52;
- (B) level II--\$45.91;
- (C) level III--\$45.24;
- (D) level IV--\$37.29; and
- (E) level V--\$89.29.

(d) Non-clinical testing, Austin Laboratory.

(1) *Legionella*, culture--\$265.48.

(2) Bat identification--\$3.52.

(3) Entomology:

(A) insect identification--\$20.86;

(B) mosquito identification for surveillance--\$17.66; and

(C) mosquito larvae identification--\$6.04.

(4) Food.

(A) Bacterial identification.

(i) Bacillis:

(I) identification--\$101.16; and

(II) enumeration, most probable number (MPN)--

\$245.53.

(ii) *Campylobacter* identification--\$145.40.

(iii) *Clostridium perfringens* identification--\$217.06.

(iv) *E.coli* 0157 identification--\$121.52.

(v) *E.coli* enumeration (MPN)--\$180.97.

(vi) *Listeria* identification--\$150.75.

(vii) *Salmonella* identification--\$66.07.

(viii) *Shigella* identification--\$119.40.

(ix) *Staphylococcus* identification--\$127.28.

(x) *Yersinia* identification--\$62.48.

(B) *Staphylococcus* enterotoxin detection--\$90.80.

(C) Yeast and mold enumeration (MPN)--\$128.50.

(D) Standard plate count--\$67.38.

(5) Milk and dairy.

(A) Aflatoxin--\$ 65.63.

(B) Bacterial counts:

(i) coliform count, milk --\$33.97;

(ii) coliform count, containers--\$41.28;

(iii) standard plate count, milk--\$22.14; and

(iv) standard plate count, container--\$44.33.

(C) Dairy water--\$16.19.

(D) Freezing point--\$26.59.

(E) Growth inhibitors.

(i) Charm SL-6 beta-lactam test--\$81.14.

(ii) Charm SLBL beta-lactam test--\$58.91.

(iii) Charm II sulfonamide test--\$51.69.

(iv) Charm II tetracycline test--\$55.15.

(v) Delvo test--\$25.60.

(F) Phosphatase--\$37.82.

(G) Somatic cell counts.

(i) Direct microscope somatic cell count (DMSC):

(I) bovine (cow)--\$50.83; and

(II) caprine (goat)--\$58.54.

(ii) Optical somatic cell count (OSCC):

(I) bovine (cow)--\$51.05; and

(II) caprine (goat)--\$51.05.

(6) *Yersinia pestis* (plague), Nobuto--\$8.57.

(7) Shellfish.

(A) Bay water--\$25.76.

(B) Brevetoxin identification--\$242.95.

(C) *E.coli*, identification and enumeration (MPN)--\$151.43.

(D) Standard plate count--\$67.38.

(E) *Vibrio* identification--\$211.47.

(F) *Vibrio* identification and enumeration (MPN)--\$478.70.

(8) Virology.

(A) Arbovirus:

(i) culture from mosquito--\$44.25;

(ii) Eastern Equine Encephalitis (EEE), mosquitoes, PCR--  
\$60.39;

(iii) St. Louis Encephalitis (SLE), mosquitoes, PCR--  
\$60.18; and

(iv) Western Equine Encephalitis (WEE), mosquitoes, PCR  
--\$60.41.

(B) Rabies:

- (i) detection, DFA--\$72.99;
- (ii) detection, DFA, cell culture--\$158.77.
- (iii) molecular typing--\$181.05; and
- (iv) monoclonal typing--\$31.19.

(9) Water.

- (A) Bottled water--\$71.74.
- (B) Fecal coliforms, multiple tube fermentation (MTF)--\$182.01.
- (C) Heterotrophic plate count (HPC) bacteria in water (Simplate)--\$84.86.
- (D) Potable water--\$16.19.
- (E) Surface water, (MPN) (Quanti-tray)--\$257.66.
- (F) Reagent water suitability--\$60.26.

(e) Non-clinical testing, South Texas Laboratory, Water bacteriology, potable water--\$8.82.

(f) Service charges

- (1) Restocking fee for NBS specimen collection kit--\$50.00.
- (2) Thermometer calibration--\$12.23.
- (3) Shipping and handling fees:
  - (A) AFB--\$50.20;
  - (B) Arbovirus reference sample--\$96.66; and
  - (C) CDC reference virus isolation--\$23.00.

§73.55. Fee Schedule for Chemical Analyses.

Fees for chemical analyses and physical testing.

(1) Analysis of volatile organic compounds in air (charcoal tubes), National Institute for Occupational Safety and Health NIOSH method--\$127.24.

(2) The following fees apply to the analysis of drinking water (including bottled water) samples.

(A) Inorganic parameters.

(i) Individual tests:

(I) alkalinity, total and phenolphthalein, Standard Methods (SM), 19th edition, 2320B--\$17.44;

(II) ammonia, SM, 20th edition, 4500-NH3H--\$33.20;

(III) bromate, Environmental Protection Agency (EPA) method 300.1--\$248.10;

(IV) bromide, EPA method 300.0--\$233.31;

(V) carbon, total organic, SM, 20th edition, 5310C--\$161.36;

(VI) chlorate, EPA method 300.0--\$233.31;

(VII) chloride, EPA method 300.0--\$15.11;

(VIII) chlorine, SM, 20th edition, 4500-Cl F--\$54.42;

(IX) chlorine dioxide, SM, 20th edition, 4500-ClO2 B--\$54.42;

(X) chlorite, EPA method 300.0--\$233.31;

(XI) chlorite, EPA method 300.1--\$248.10;

(XII) chloramines, SM, 20th edition, 4500-ClO2 D--\$54.42;

(XIII) color, SM, 19th edition, 2120B--\$97.06;

(XIV) specific conductance, SM, 19th edition, 2510B--\$16.42;

(XV) cyanide, total, QuickChem 10-204-00-1-X--\$135.47;

(XVI) fluoride, EPA method 300.0--\$15.03;

- \$8.49;
- (XVII) nitrate and nitrite as nitrogen, EPA method 353.2--
- (XVIII) nitrate as nitrogen, EPA method 353.2--\$8.49;
- (XIX) nitrite as nitrogen, EPA method 353.2--\$8.49;
- (XX) odor, SM, 20th edition, 2150B --\$51.93;
- (XXI) perchlorate, EPA method 314.0--\$1008.60;
- (XXII) pH, SM, 19th edition, 4500H--\$4.15;
- \$114.49;
- (XXIII) phenolics, total recoverable, EPA method 420.4--
- \$20.25;
- (XXIV) silica, dissolved, SM, 20th edition, 4500SiO, E --
- edition, 2540C--\$14.65;
- (XXV) solids, total dissolved, determined, SM, 20th
- (XXVI) sulfate, EPA method 300.0--\$15.11; and
- (XXVII) turbidity, EPA method 180.1--\$136.28.

(ii) Routine water mineral group, EPA methods 300.0, and 353.2, and SM, 19th edition, 2320B, 2510B, 4500-HB and 2540C--\$106.39.

(B) Metals analysis. A preparation fee applies to all drinking water samples analyzed by inductively coupled plasma (ICP) or by inductively coupled plasma-mass spectrometry (ICP-MS) with turbidity greater than or equal to 1 Nephelometric Turbidity Unit (NTU) or that contains visible particles. The total analysis cost includes the per-element or per-group fee and any required sample preparation fee.

(i) Sample preparation fee, total recoverable metals digestion, EPA method 200.2--\$20.29.

(ii) Per-element analysis fees:

(I) mercury, EPA method 245.1--\$18.41;

(II) single ICP, EPA method 200.7--\$7.73; and

(III) single ICP-MS, EPA method 200.8--\$6.88.

(iii) Group fees:

(I) all metals drinking water group, EPA methods 200.7, 200.8, and 245.1 and SM 19th edition 2340B--\$152.43;

(II) ICP/ICP-MS metals drinking water group, EPA methods 200.7 and 200.8 and SM 19th edition 2340B--\$81.33;

(III) total hardness, SM, 19th edition 2340B--\$10.58; and

(IV) reagent water metal suitability group, EPA methods 200.7 and 200.8--\$41.80.

(C) Organic compounds:

(i) chlorinated pesticides and polychlorinated biphenyls (PCBs) in drinking water, EPA method 508.1--\$150.22;

(ii) chlorophenoxy herbicides, EPA method 515.4--\$313.25;

(iii) diquat and paraquat EPA method 549.2--\$72.09;

(iv) ethylene dibromide (EDB) and dibromochloropropane (DBCP), EPA method 504.1--\$75.67;

(v) endothall, EPA method 548.1--\$265.63;

(vi) glyphosate, EPA method 547--\$39.40;

(vii) haloacetic acids, EPA method 552.2--\$53.72;

(viii) carbamates insecticides, EPA 531--\$57.01;

(ix) PCB SOC6, EPA method 508A--\$1045.02;

(x) synthetic organic contaminants group 5, EPA methods 508.1 and 525.2--\$205.41;

(xi) semi-volatile organic compounds by GC-MS, EPA method 525.2--\$111.74;

(xii) trihalomethanes, EPA methods 502.2 or 524.2--\$50.13; and

(xiii) volatile organic compounds VOCs by GC-MS, EPA method 524.2--\$55.12.

(D) Radiochemicals:

- (i) gross alpha and beta, EPA method 900.0--\$170.73;
- (ii) gross alpha or beta, EPA method 900.0--\$170.73;
- (iii) gamma emitting isotopes, EPA method 901.1--\$36.53;
- (iv) radium-226, SM, 19th edition, 7500 RaC--\$43.24;
- (v) radium-228, SM, 19th edition, 7500 RaD--\$101.74;
- (vi) strontium-89 or 90, EPA method 905.0--\$152.89;
- (vii) tritium, EPA method 906.0--\$73.19;
- (viii) uranium isotopes, SM, 19th edition, 7500 UC --\$104.81; and
- (ix) composite/storage fee--\$19.23.

(3) The following fees apply to the analysis of food and food products.

(A) Inorganic analyses:

- (i) added water, Association of Analytical Communities (AOAC) calculation--\$5.34;
- (ii) benzoate, AOAC method 980.17--\$82.71;
- (iii) BRIX, AOAC method 932.14--\$23.04;
- (iv) cereal, U.S. Department of Agriculture (USDA) method CRL--\$72.97;
- (v) deterioration, canned products, AOAC chart--\$9.91;
- (vi) fat, paly screen, AOAC method 964.12 --\$61.61;
- (vii) fat, soxhlet extraction, USDA method Fat-1--\$106.80;
- (viii) filth, AOAC method 941.16--\$40.82;
- (ix) food coloring, AOAC method 988.13--\$131.63;

- (x) insect identification, Food and Drug Administration (FDA) Technical Bulletin #2--\$88.92;
- (xi) meat protein, AOAC calculation--\$5.34;
- (xii) moisture (total water), USDA M01 method--\$63.00;
- (xiii) pH of food products, USDA PHM--\$43.12;
- (xiv) phosphate determination-(tri-poly-phosphate), USDA PHS1--\$65.36;
- (xv) protein, total, USDA PRO1--\$81.14;
- (xvi) salt, USDA SLT--\$85.81;
- (xvii) soy protein concentrate, USDA SOY1 method--\$53.21;
- (xviii) soya, USDA SOY1 method--\$53.21;
- (xix) sulfite AOAC 980.17--\$28.27; and
- (xx) water activity, AOAC method 978.18--\$33.22.

(B) Metals analyses. A sample preparation fee applies to all food samples analyzed by ICP or ICP-MS techniques. A sample requiring both ICP and ICP-MS techniques will require two sample preparations. The total analysis fee includes the sample preparation fees and the per-element fee. The fee for analysis of multiple metals by a single method includes a single sample preparation fee and the appropriate per-element fees.

(i) Sample preparation fee--total recoverable metals digestion, EPA methods 200.2, 200.3, or SW-846 method 3050B--\$22.88.

(ii) Per-element fees:

(I) mercury, EPA method 245.1 and EPA SW-846 methods 7470A and 7471B--\$192.35;

(II) single metal, ICP, EPA 200.7 or EPA SW-846 method 6010C -- \$443.10; and

(III) single metal, ICP-MS, EPA method 200.8, and EPA SW-846 method 6020A--\$91.24.

(4) The following fees apply to the analysis of soil and solids.

(A) Metals analysis. A sample preparation fee applies to the analysis of all solid (soil, sediment, etc.) samples. A sample requiring both ICP and ICP-MS techniques will require two sample preparations. The total cost of the analysis will be the sample preparation fees plus the per-element fee. The fee for analysis of multiple metals by a single method includes a single sample preparation fee and the appropriate per-element fees. Determination of leachable metals in solid samples will require a solid leachate sample preparation procedure, as well as analysis of the leachate using non-potable water analytical methods. The total cost of the analysis will be the solid leachate sample preparation fee plus the required non-potable water preparation fee(s) and the per-element test(s).

(i) Sample preparation fee--acid digestion of sediments, sludges, and soils, EPA SW-846 Method 3050B--\$84.92.

(ii) Solid leachate for metals--\$273.88.

(iii) Per-element fee:

(I) mercury, sediment, EPA SW-846 method 7471B--  
\$194.22;

(II) single metal, ICP, EPA SW-846 method 6010C--  
\$443.10; and

(III) single metal, ICP-MS, EPA SW-846 method 6020A--  
\$56.74.

(B) Radiochemistry. Except for gamma emitting isotopes and tritium, a sample preparation fee applies to the analysis of all solid (soil, sediment, etc.) samples. The total cost for the analysis will be the sample preparation fee plus the analytical method fee.

(i) Sample preparation, DOE CHEM-TP-A.20--\$75.34.

(ii) Americium isotopes, DOE CHEM-TP-A.20--\$59.23.

(iii) Gross alpha and beta, SM, 19th edition, 7110B--\$54.91.

(iv) Gross alpha or beta SM, 19th edition, 7110B--\$54.91.

(v) Gamma emitting isotopes, Ga-01-R--\$65.56.

(vi) Plutonium isotopes, DOE CHEM-TP-A.20--\$36.63.

(vii) Radium-226 SM, 19th edition, 7500RaC modified--\$58.79.  
(viii) Radium-228 SM, 19th edition, 7500 RaD modified--  
\$118.00.

(ix) Strontium-89 or 90, EPA method 905.0 modified--\$198.64.

(x) Thorium isotopes, DOE CHEM-TP-A.20--\$56.42.

(xi) Tritium, EPA 520/5-86-006 H-01--\$57.55.

(xii) Uranium isotopes, DOE CHEM-TP-A.20--\$47.54.

(5) The following fees apply to the analysis of tissue and vegetation samples. A tissue preparation (homogenization) fee applies to all seafood tissue samples analyzed for metals. The total analysis cost includes the tissue preparation fee, any analyte specific sample preparation fee, and the per-element or per-group test fee.

(A) Tissue preparation fees:

(i) fillets--\$34.56; and

(ii) whole fish and crabs--\$46.08.

(B) Metals analyses. A sample preparation fee applies to all tissue samples analyzed by ICP or ICP-MS. The total analysis cost includes the per-element or per-group fee plus any required sample preparation fee:

(i) sample preparation fee--total recoverable metals digestion, EPA method 200.3--\$22.88;

(ii) per-element fees:

(I) mercury, EPA method 7471B--\$192.35;

(II) single metal, ICP, EPA 200.7 or EPA SW-846 methods 6010C -- \$443.10; and

(III) single metal, ICP-MS, EPA method 200.8, EPA SW-846 method 6020A--\$91.24.

(C) Radiochemistry. Except for gamma emitting isotopes and tritium, a sample preparation fee applies to the analysis of all tissue and vegetation samples. The total cost for the analysis will be the sample preparation fee plus the analytical method fee.

- (i) Sample preparation, DOE CHEM-TP-A.20--\$75.34.
- (ii) Americium isotopes, DOE CHEM-TP-A.20--\$59.23.
- (iii) Gamma emitting isotopes, Ga-01-R--\$76.47.
- (iv) Gross alpha and beta, SM, 19th edition, 7110B--\$54.91.
- (v) Gross alpha or beta, SM, 19th edition, 7110B--\$54.91.
- (vi) Plutonium isotopes, DOE CHEM-TP-A.20--\$36.63.
- (vii) Radium-226,SM, 19th edition, RaC modified--\$58.79.
- (viii) Radium-228, SM 19th edition, RaD modified--\$118.
- (ix) Strontium-89 or 90, EPA method 905.0 modified--\$198.64.
- (x) Thorium isotopes, DOE CHEM-TP-A.20--\$56.42.
- (xi) Tritium EPA Method 520/5-86-006 H-01--\$57.55.
- (xii) Uranium isotopes, DOE CHEM-TP-A.20--\$47.54.

(6) The following fees apply to the analysis of non-potable water.

(A) Inorganic parameters:

- (i) odor, SM,20th edition, 2150B--\$51.93; and
- (ii) phenolics, total recoverable, EPA method 420.4--\$114.49.

(B) Metals analysis. The following sample preparation fees apply to the analysis of non-potable water samples. A sample requiring both ICP and ICP-MS techniques will require two sample preparations. The total cost of the analysis will be the required sample preparation fee(s) plus the per-element fee. The fee for analysis of multiple metals by a single method includes a single sample preparation fee and the appropriate per- element fees.

(i) Sample preparation fees:

(I) total recoverable metals digestion, EPA method 200.2 and EPA SW-846 methods 3005A, 3010A, and 3020A--\$29.92; and

(II) filtration (dissolved metals), EPA SW-846 method 3005A--\$22.36.

(ii) Per-element fees:

(I) mercury, EPA method 245.1 and EPA SW-846 method 7470A--\$28.10;

(II) single metal, ICP, EPA method 200.7 and EPA SW-846 method 6010C--\$67.49; and

(III) single metal, ICP-MS, EPA method 200.8, and EPA SW-846 method 6020A--\$67.49.

(C) Radiochemistry. A sample preparation fee applies to the analysis of non-potable water samples for americium isotopes, plutonium isotopes, and thorium isotopes. The total cost for the analysis will be the sample preparation fee plus the analytical method fee.

(i) Sample preparation, DOE CHEM-TP-A.20--\$75.34.

(ii) Americium isotopes, DOE CHEM-TP-A.20--\$59.23.

(iii) Gamma emitting isotopes, Ga-01-R--\$36.53.

(iv) Gross alpha and beta, EPA method 900.0--\$170.73.

(v) Gross alpha or beta, EPA method 900.0--\$170.73.

(vi) Plutonium isotopes, DOE CHEM-TP-A.20 --\$36.63.

(vii) Radium-226, SM, 19th edition 7500 RaC --\$113.23.

(viii) Radium-228, SM 19th edition, 7500 RaD--\$101.74.

(ix) Strontium-89 or 90, EPA method 905.0--\$152.89.

(x) Thorium isotopes, DOE CHEM-TP-A.20--\$56.42.

(xi) Tritium, EPA method 906.0--\$73.19.

(xii) Uranium isotopes, DOE CHEM-TP-A.20--\$47.54.

(7) The following fees apply to the analysis of a wipe, filter or cartridge. Radiochemistry. Except for gamma emitting isotopes and tritium, a sample preparation fee applies to the analysis of all wipe, filter or cartridge samples. The total cost for the analysis will be the sample preparation fee plus the analytical method fee.

- (A) Sample preparation, DOE CHEM-TP-A.20--\$75.34.
- (B) Americium isotopes DOE CHEM-TP-A.20--\$59.23.
- (C) Gamma emitting isotopes, Ga-01-R--\$28.84.
- (D) Gross and beta, EPA method 900.0--\$9.66.
- (E) Gross or beta, EPA method 900.0--\$9.66.
- (F) Plutonium, DOE CHEM-TP-A.20--\$36.63.
- (G) Radium-226 , SM, 19th edition, RaC modified--\$58.79.
- (H) Radium-228, SM, 19th edition, RaD modified--\$118.00.
- (I) Strontium-89 or 90 EPA method 905.0 modified--\$198.64.
- (J) Thorium isotopes, DOE CHEM-TP-A.20--\$56.42.
- (K) Tritium, EPA 906.0 modified--\$73.19.
- (L) Uranium isotopes, DOE CHEM-TP-A.20--\$47.54.

(8) Identification of feces and urine stains:

- (A) identification of feces stains, AOAC method 981.22--\$103.63; and
- (B) identification of urine stains, AOAC methods 963.28, and 959.14--\$86.78;

(9) Additional charges.

(A) Analysis of trip and field blank samples will be billed at the same rate as the requested sample analysis.

(B) If the submitter requires specific samples within their batch to be analyzed and reported as laboratory fortified matrix (FM) or matrix spike (MS), and laboratory fortified matrix duplicate (LFMD) or matrix spike duplicate (MSD), a fee for two additional samples will be charged.

(C) A fee of \$8 per sample will be charged for samples submitted but not analyzed at the submitter's request, including samples on hold, and then voided.

(D) The preparation fee (or 20% of the analysis fee if there is no separate preparation fee) will be charged for any sample prepared but not analyzed at the client's request.

(E) A fee equal to 3% of the analysis fee will be charged for a summary of the quality control data routinely generated during the analysis. This summary may include data for method blanks, duplicate, matrix spike recovery, laboratory control samples, and surrogate recovery.

(F) Additional copies of reports and raw data packages will be provided at a cost of \$0.10 per page for each request in excess of 50 pages. An additional fee of \$15 will be charged for each hour in excess of one hour to prepare the request.