



GOVERNMENT GAZETTE

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Government Notice

MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 319

2023

REGULATIONS RELATING TO SCOPE OF PRACTICE OF MEDICAL LABORATORY SCIENTIST: ALLIED HEALTH PROFESSIONS ACT, 2004

Under section 55(1)(n) of the Allied Health Professions Act, 2004 (Act No. 7 of 2004), and on the recommendation of the Allied Health Professions Council, I make the regulations set out in the Schedule.

DR. K. SHANGULA
MINISTER OF HEALTH
AND SOCIAL SERVICE

Windhoek, 8 September 2023

SCHEDULE

Definitions

1. In these regulations, unless the context indicates otherwise, a word or expression defined in the Act has that meaning -

“medical laboratory” means a health facility -

(a) as defined in section 1 of the Hospital and Health Facilities Act, 1994 (Act No. 36 of 1994); and

(b) which is a medical laboratory referred to in Schedule 1 of that Act;

“medical laboratory scientist” means a person registered under the Act to practice the profession of medical laboratory science;

“point of care testing” means medical diagnostic testing performed by the medical laboratory scientist on a patient using diagnostic equipment for the patient to receive immediate results and which testing is provided near the place where care or treatment is provided to the patient;

“standard operating procedure” means a set of written instructions that describe how to perform a laboratory process or examination in a medical laboratory; and

“the Act” means the Allied Health Professions Act, 2004 (Act No. 7 of 2004).

Scope of practice of medical laboratory scientists

2. (1) The following acts constitute acts pertaining to the scope of practice of a medical laboratory scientist:

- (a) performing laboratory tests, including point of care testing on blood, body fluids and human tissue;
- (b) examining and analysing specimens taken from blood, body fluids and human tissue and evaluating test results for accuracy;
- (c) verifying relevant data and ensuring that appropriate specimens are taken from blood, body fluids and human tissue;
- (d) correlating and interpreting medical laboratory test results and consulting on and seeking advice regarding the results with other medical laboratory scientists or medical technologists registered under the Act;
- (e) understanding the principles and measurements of different analytical techniques on specimens that originate from a variety of sources;
- (f) disseminating medical laboratory test information in a timely manner to the persons who requested the tests; and
- (g) assessing, evaluating and implementing new medical laboratory test methods based on the standard operating procedure relating to laboratory test methods of the medical laboratory.

(2) The medical laboratory scientist must perform the acts referred to in subregulation (1), only on request by -

- (a) person registered under the Medical and Dental Act, 2004 (Act No. 10 of 2004), to enable the registered person to perform his or her functions under that Act;
- (b) an insurer within the meaning of the Long-term Insurance Act, 1998 (Act No. 5 of 1998), to enable the insurer to perform his or her functions under that Act;
- (c) a person registered as a nurse or midwife under the Nursing Act, 2004 (Act No. 8 of 2004), to enable the registered nurse or midwife to perform his or her functions under that Act;
- (d) a person registered under the Allied Health Professions Act, 2004 (Act No. 7 of 2004), to enable the registered person to perform his or her functions under that Act; or
- (e) a court, to enable the court to perform its functions.

(3) The medical laboratory scientist must provide reliable, accurate and timely laboratory test results according to the turnaround time provided in the medical laboratories' standard operating procedure.

(4) A medical laboratory scientist may consult with a person referred to in subregulation (2) regarding the acts performed by the medical laboratory scientist within his or her scope of practice.

(5) A person registered as a student under section 24(2)(c) of the Act and who is undergoing training, tuition and education to practise as a medical laboratory scientist, must perform the acts referred to in subregulation (1), only under the direct supervision of a medical laboratory scientist registered under the Act.
