Phlebotomy is the act of drawing blood either for testing or transfusion. It is a skill employed by physicians and many professionals in allied health fields, including medical assistants, paramedics, and clinical laboratory scientists. In everyday life, blood is often drawn in a number of settings outside of hospitals and medical facilities.

There are approximately 20 phlebotomy training programs in Minnesota. Dakota County Technical College (DCTC) has provided their full phlebotomy training program for nearly 10 years. Generally, these training programs require 40 hours of classroom training, 40 hours of clinical training, and 100 venipunctures utilizing both inanimate training aids and live individuals before one is qualified as a phlebotomist. Only two states require certification for those trained in phlebotomy to deploy their skills in practical settings. Minnesota is not one of the two states requiring certification.

In 2011, Minnesota began training law enforcement professionals as phlebotomists to bolster law enforcement officers and agency’s abilities to obtain evidence in impaired driving cases. This training is funded by Minnesota Department of Public Safety’s Office of Traffic Safety with funds from the National Highway Traffic Safety Administration. In conjunction with DCTC, a curriculum specific to law enforcement professionals was developed. Recognizing that there was no need to train officers to draw samples from children or from areas other than the arm and hand, DCTC’s full phlebotomy course was adapted for law enforcement purposes.

The Minnesota Law Enforcement Phlebotomist curriculum includes an 8 hour online course, 24 hours of classroom training that includes draws from both live subjects and inanimate training aids, and 50 successful blood draws in a clinical setting. The classroom training portion includes sessions on medical terminology, safety procedures, overview of laboratory processing, blood collection procedures, anatomy, physiology, evidentiary requirements and duties, and trial preparation and tactics.

In addition to successfully completing the initial training, law enforcement phlebotomists must maintain their authorization through annual requalification requirements. Law enforcement phlebotomist annual requirements include the following:

- Perform a minimum of 2 successful venipunctures witnessed and verified by qualified, licensed medical personnel
- Attend a requalification course in phlebotomy techniques through DCTC
- Maintain a log of blood draws to show proficiency
- Submit the log and all reports to the Minnesota state law enforcement phlebotomy coordinator

Officers not adhering to the annual requalification requirements will be removed from the program and their authorization to complete blood draws will be voided.

Significant changes to the DWI process over the last 3 years have drastically altered the impaired driving landscape for officers, prosecutors, and the judiciary. Drugged driving is increasing in Minnesota and throughout the country. This increase, coupled with the added requirement to obtain a search warrant for blood draws, has thrown the medical profession into the heart of impaired driving criminal cases. In conjunction with this increase, the ability to obtain blood evidence from an impaired driver is being hampered by medical facility policies and uncooperative subjects. The use of law enforcement phlebotomists aids in the mitigation of these issues and ensures that the requisite evidence is obtained; solidifying the criminal case and thereby helping to secure a conviction.
Minnesota statute 169A.51.7a specifically defines a phlebotomist as a trained individual who is authorized to “withdraw blood for the purpose of determining the presence of alcohol, a controlled substance or its metabolite, or a hazardous substance.” The Minnesota Law Enforcement Phlebotomist training program definitively prepares law enforcement professionals to draw blood as authorized by statute.

Further, MSS 169A.51.7c states that the phlebotomist (et al.) “is in no manner liable in any civil or criminal action except for negligence in drawing the blood.” This removes any culpability when a law enforcement phlebotomist draws blood utilizing their training and experience.

Since 2011, five law enforcement phlebotomy training classes were successfully run through DCTC. Fifty-five law enforcement phlebotomists have been trained; 48 of whom have maintained their requalification training and are actively completing blood draws. These 48 law enforcement phlebotomists represent 22 law enforcement agencies throughout Minnesota. The next training class is scheduled for August 2017 and will deploy an additional 12 law enforcement phlebotomists to assist officers with their impaired driving arrests.

Strict Standards and Guidelines have been established for the training and utilization of law enforcement phlebotomists in Minnesota. For questions about law enforcement phlebotomy training or to obtain a copy of the Standards or Guidelines, contact:

Lieutenant Don Marose  
Minnesota State Patrol  
1900 W. County Road I  
Arden Hills, MN 55126  
651-757-1903  
don.marose@state.mn.us