

GENETIC COUNSELING: REQUIRE LICENSURE

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House Bill 5684

Sponsor: Rep. Marie Donigan

Committee: Health Policy

Complete to 11-9-10

A REVISED SUMMARY OF HOUSE BILL 5684 AS INTRODUCED 12-10-09

House Bill 5684 would add Part 186, entitled "Genetic Counseling," to the Public Health Code. Beginning January 1, 2012, an individual could not engage in the practice of genetic counseling without being licensed under Part 186.

Definition of genetic counseling

A "genetic counselor" would mean an individual licensed under Part 186 to engage in the practice of genetic counseling. The "practice of genetic counseling" would be defined as the providing of any of the following services:

- ** Obtaining and interpreting individual, family, medical, developmental, and reproductive histories.
- ** Determining the mode of inheritance and risk of transmission of genetic conditions and birth defects.
- ** Discussing the inheritance, features, natural history, means of diagnosis, and management of genetic conditions and birth defects.
- ** Identifying, coordinating, interpreting, and explaining genetic laboratory tests and other diagnostic studies.
- ** Assessing psychosocial factors and recognizing social, educational, and cultural issues.
- ** Evaluating the individual's or family's responses to the condition or risk of recurrence and providing client-centered counseling and anticipatory guidance.
- ** Communicating information to the individuals in an understandable manner.
- ** Facilitating informed decision making.
- ** Identifying and effectively using community resources that provide medical, educational, financial, and psychosocial support and advocacy.

** Providing accurate written documentation of medical, genetic, and counseling information for families and health care professionals.

Exemptions from the bill

Part 186 would not apply to licensed health professionals when acting within the scope of their health professions and doing work of a nature consistent with their training.

Licensing requirements

An individual would have to submit an application prescribed by the board, pay the licensing and application fees, and provide satisfactory evidence of having current certification through a nationally recognized certifying agency for genetic counselors or medical geneticists approved by the board.

As a condition of renewal, a licensee would have to present satisfactory evidence to the board that in the period since the license was issued or last renewed the licensee maintained certification through a nationally recognized certifying agency approved by the board.

Temporary licenses

A temporary licensed genetic counselor would have to work under the supervision of a genetic counselor or a physician at all times while engaged in the practice of genetic counseling.

License fees

Fees for engaging in the practice of genetic counseling would be \$40 for the application processing fee; \$150 annually for the license fee; and \$50 per year for a temporary license.

Protected titles

Only a person licensed under Part 186 could use, whether in connection with his or her name or place of business, the following titles: genetic counselor, licensed genetic counselor, gene counselor, genetic consultant, genetic associate, or any words, letters, abbreviations, or insignia that indicated or implied a person held a license to engage in the practice of genetic counseling.

Michigan Board of Genetic Counseling

The Michigan Board of Genetic Counseling would be created in the Department of Community Health. The board would comprise five genetic counselors, one physician board certified in genetics by a nationally recognized certifying agency for physicians, and three public members. Members would serve four-year terms, with the terms staggered for the initial members.

Minimum standards in rules

Rules specifying the minimum standards for licensure, temporary licensure, and license renewal would be promulgated by the department in consultation with the board. The department, in consultation with the board, could adopt by reference the professional

standards and continuous professional education standards issued by a nationally recognized certifying agency for genetic counselors. The board would also be required to perform any other requirements of Article 15 of the code in addition to other functions and duties as necessary to carry out Part 186.

MCL 333.16340 et al.

FISCAL IMPACT:

House Bill 5684, as introduced, will create state costs to develop and administer the licensing, regulation, and complaint review for the licensure of the profession of genetic counselor. Costs are estimated at \$75,000-\$100,000 and include a licensing board and a new FTE position to carry out these responsibilities in the Department of Community Health.

Currently, there are about 60-80 genetic counselors practicing in Michigan who may meet the licensing requirements of the bill. Licensure revenue from 80 licensees and a modest number of temporary licensees would be under \$15,000 annually, based on the fees in the introduced bill of \$150 per year and one-time application processing fees of \$40.

Licensed genetic counselors will be subject to discipline under Part 161 of the Public Health Code for licensure violations or for unlawful practice without licensure, which may include fines.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.