

HOUSE RESEARCH

Bill Summary

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Authors: Zerwas and others

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Analyst: Lynn Aves

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Overview

This bill, if enacted, would require licensure for genetic counselors. According to the National Society of Genetic Counselors, 21 states license genetic counselors.

Section

1 **Definitions.** Creates § 147F.01. Defines the following terms as used in this practice act: “ABGG,” “ABMG,” “ACGC,” “board,” “eligible status,” “genetic counseling,” “genetic counselor,” “licensed physician,” “NSGC,” “qualified supervisor,” “supervisee,” and “supervision.”

2 **Scope of practice.** Creates § 147F.03. Provides that the services provided by a licensed genetic counselor include:

- obtaining and interpreting family and individual medical and developmental histories;
- determining inheritance and risk of transmitting genetic conditions;
- discussing inheritance, history, diagnosis, and management of conditions with clients;
- identifying, ordering, and explaining implications of genetic tests and other studies;
- assessing psychosocial factors;
- providing counseling and guidance to the client or family;
- facilitating informed decision making about tests and management;
- identifying and using community resources for medical, educational, financial, and psychosocial support and advocacy; and
- providing accurate written medical, genetic, and counseling information.

Section

3 **Unlicensed practice prohibited; protected titles and restrictions on use.** Creates § 147F.05.

Subd. 1. Protected titles. Prohibits use of the titles “genetic counselor, “licensed genetic counselor,” “gene counselor,” “genetic consultant,” “genetic assistant,” or “genetic associate” unless the individual is licensed as a genetic counselor.

Subd. 2. Unlicensed practice prohibited. Prohibits the practice of genetic counseling unless licensed as a genetic counselor, or subject to an exception as provided in subdivision 3 of this section.

Subd. 3. Other practitioners. Paragraph (a) provides nothing in this practice act shall limit the practice of other licensed professionals who are operating within their scope of practice.

Paragraph (b) provides that a license is not required for individuals who are employed by the federal government or federal agency, students enrolled in an accredited genetic counseling program or students who have graduated within the past six months and are scheduled to take the certification examination, a visiting certified genetic counselor working as a consultant, or are licensed to practice medicine under chapter 147.

Subd. 4. Sanctions. Provides that violation of this section is a misdemeanor and is subject to sanctions under section 214.11.

4 **Licensure requirements.** Creates § 147F.07.

Subd. 1. General requirements for licensure. Requires applicants to submit a completed application along with the required fees, evidence of graduation from an accredited genetic counseling program, valid and current certification from a national certification program, and additional information requested by the board.

Subd. 2. Licensure by reciprocity. Requires an applicant to hold a current genetic counselor or medical geneticist registration or license in another jurisdiction whose standards meet or exceed those of Minnesota, and to meet specified requirements in subdivision 1. Requires the applicant to provide letters of verification from each jurisdiction in which the applicant is registered or licensed.

Subd. 3. Licensure by equivalency. Allows the board to grant a license to an individual who does not meet the certification requirements in subdivision 1, but who has been employed as a genetic counselor for a minimum of ten years and provides the following documentation to the board:

- proof of a master’s degree or higher in genetics or a related field from an accredited institution;
- proof that the individual has never failed a certification examination;
- three letters of recommendation; and
- documentation of the completion of 100 hours of approved continuing education within the past five years.

Section

Provides that this subdivision expires February 1, 2017.

Subd. 4. License expiration. Provides that a license is valid for one year.

Subd. 5. License renewal. Requires a genetic counselor to submit a renewal application and the required fee, evidence of compliance with continuing education requirements, and any additional information requested by the board.

5 Board action on applications for licensure. Creates § 147F.09. Requires the board to take action on each application submitted and provide written notice to the applicant of the action taken. Allows the board to investigate information provided by an applicant. Provides that if the board denies a license, grounds for denial must be disclosed to the applicant along with the applicant's right for a review of the board's decision.

6 Continuing education requirements. Creates § 147F.11. Paragraph (a) requires genetic counselors to complete a minimum of 25 hours of approved continuing education units during each two-year period.

Paragraph (b) allows the board to grant a variance to the continuing education requirements.

7 Discipline; reporting. Creates § 147F.13. Provides that disciplinary action and reporting requirements are subject to sections 147.091 to 147.162, disciplinary provisions of the Board of Medical Practice.

8 Licensed genetic counselor advisory council. Creates § 147F.15.

Subd. 1. Membership. Requires the board to appoint a five member council. One member must be a licensed physician, one a public member, and three licensed genetic counselors.

Subd. 2. Organization. Provides that section 15.059 governs the organization and administration of the council.

Subd. 3. Duties. Requires the council to advise the board on licensing standards and complaints, enforcement of the genetic counselor practice act, and provide for distribution of information on genetic counselor practice standards.

Subd. 4. Expiration. Provides that the council does not expire.

9 Fees. Creates § 147F.17. Establishes fees for license application, initial license and annual renewal, provisional license, and a late fee. Allows the board to prorate fees. Provides that fees are nonrefundable. Requires fees to be deposited in the state government special revenue fund.