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Senate Bill 935 (as introduced 5-13-14)  
Sponsor: Senator Judy K. Emmons  
Committee: Health Policy

Date Completed: 5-27-14

### **CONTENT**

**The bill would add Part 186 (Genetic Counseling) to Article 15 (Occupations) of the Public Health Code to do the following:**

- **Prohibit an individual from engaging in the practice of genetic counseling without a license, beginning January 1, 2015.**
- **Require the Department of Licensing and Regulatory Affairs (LARA), in consultation with the Michigan Board of Medicine, to promulgate rules that specified the minimum standards for licensure, temporary licensure, and license renewal.**
- **Prescribe the application process for licensure as a genetic counselor.**
- **Require a temporary licensed genetic counselor to work under the supervision of a qualified supervisor.**
- **Require a licensee seeking renewal to present to the Board evidence that he or she had maintained certification through an approved nationally recognized certifying agency.**
- **Prohibit a person who was not licensed as a genetic counselor from using certain titles, words, letters, abbreviations, or insignia.**

**The bill also would amend Part 161 (General Provisions) of Article 15 to prescribe application and annual license fees.**

#### **Part 186: Genetic Counseling**

Licensure Standards & Process. The bill would require LARA, in consultation with the Board of Medicine, to promulgate rules that specified the minimum standards for licensure, temporary licensure, and licensure renewal. The Department, in consultation with the Board, would have to adopt by reference the professional standards and continuous professional education standards issued by a nationally recognized certifying agency for genetic counselors.

To be licensed as a genetic counselor under Part 186, an individual would have to do all of the following:

- Submit an application prescribed by the Board of Medicine.
- Pay the required fee (described below).
- Provide satisfactory evidence of having current certification through a nationally recognized certifying agency for genetic counselors or medical geneticists approved by the Board.

"Genetic counselor" would mean an individual licensed under Part 186 to engage in the practice of genetic counseling. "Practice of genetic counseling" would mean provision of any of the following services:

- Obtaining and evaluating individual, family, and medical histories to determine the genetic risk for genetic or medical conditions or diseases in a client or the client's descendants or other family members.
- Discussing the features, natural history, means of diagnosis, genetic and environmental factors, and management of the genetic risks of genetic or medical conditions or diseases.
- Identifying and coordinating appropriate genetic laboratory tests and other diagnostic studies for genetic assessment of a client.
- Integrating genetic laboratory test results and other diagnostic with personal and family medical history to assess and communicate a client's risk factors for genetic or medical conditions or diseases.
- Explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results.
- Evaluating the responses of a client and the client's family to a genetic or medical condition or disease or to the risk of recurrence of that condition or disease and providing client-centered counseling and anticipatory guidance.
- Identifying and using community resources that provide medical, educational, financial, and psychosocial support and advocacy.
- Providing written documentation of medical, genetic, and counseling information for families and health care professionals.

Licensure Requirement. Beginning January 1, 2015, an individual could not engage in the practice of genetic counseling unless he or she were licensed under Part 186.

A temporary licensed genetic counselor would have to work under the supervision of a qualified supervisor at all times during which the temporary counselor engaged in the practice of genetic counseling. ("Temporary licensed genetic counselor" would mean a genetic counselor who had been issued a temporary license. "Qualified supervisor" would mean an individual who was a genetic counselor or a physician.)

An individual who was not licensed under Part 186 could not use in connection with his or her name or place of business the title "genetic counselor", "licensed genetic counselor", "gene counselor", "genetic consultant", or "genetic associate", or any words, letters, abbreviations, or insignia indicating or implying that he or she held a license to engage in the practice of genetic counseling.

Part 186 would not apply to an individual licensed by the State of Michigan to practice a health profession other than the practice of genetic counseling when acting within the scope of his or her health profession and doing work of a nature consistent with his or her training.

License Renewal. To obtain a license renewal, a licensee would have to present to the Board of Medicine satisfactory evidence that in the period since the license was issued or last renewed, the licensee had maintained certification through a nationally recognized certifying agency approved by the Board.

#### Part 161: General Provisions

Part 161 contains general provisions, including license fees, for each of the health professions subject to regulation under Article 15. Under the bill, fees for a person licensed or seeking licensure to engage in the practice of genetic counseling under Part 186 would be as follows:

- An application processing fee of \$55.
- An annual license fee of \$95.
- An annual temporary license fee of \$50.

Proposed MCL 333.16340 et al.

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs, and no fiscal impact on local units of government. Under the bill, LARA would begin licensure of genetic counselors. The bill would require an application processing fee of \$55, and an annual license fee of \$95, and would provide for the issuance of temporary licenses, which would require a fee of \$50. According to the American Board of Genetic Counseling (ABGC), there are currently 107 genetic counselors in Michigan who have registered with the ABGC. Assuming that each sought full licensure under the bill, and that this number represents the totality of genetic counselors who would seek licensure, the fees in the bill would generate \$16,050 initially, and then \$10,165 per year thereafter. While the new costs that would be associated with licensing genetic counselors are not known at this time, medical doctors, podiatrists, and psychologists also pay a \$95 annual license fee, and LARA has indicated that this fee level is sufficient to cover the cost of providing licensure for those professions.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.