

SENATE BILL No. 935

May 13, 2014, Introduced by Senator EMMONS and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 16340 and part 186.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 16340. FEES FOR A PERSON LICENSED OR SEEKING LICENSURE
2 TO ENGAGE IN THE PRACTICE OF GENETIC COUNSELING UNDER PART 186
3 ARE AS FOLLOWS:

4 (A) APPLICATION PROCESSING FEE.....	\$ 55.00
5 (B) LICENSE FEE, PER YEAR.....	95.00
6 (C) TEMPORARY LICENSE FEE, PER YEAR.....	50.00

PART 186. GENETIC COUNSELING

8 SEC. 18601. (1) AS USED IN THIS PART:

9 (A) "BOARD" MEANS THE MICHIGAN BOARD OF MEDICINE CREATED IN
10 SECTION 17021.

(B) "GENETIC COUNSELOR" MEANS AN INDIVIDUAL LICENSED UNDER THIS PART TO ENGAGE IN THE PRACTICE OF GENETIC COUNSELING.

(C) "PRACTICE OF GENETIC COUNSELING" MEANS PROVISION OF ANY OF THE FOLLOWING SERVICES:

(i) OBTAINING AND EVALUATING INDIVIDUAL, FAMILY, AND MEDICAL HISTORIES TO DETERMINE THE GENETIC RISK FOR GENETIC OR MEDICAL CONDITIONS OR DISEASES IN A CLIENT, THE CLIENT'S DESCENDANTS, OR OTHER FAMILY MEMBERS OF THE CLIENT.

(ii) 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.

(iii) IDENTIFYING AND COORDINATING APPROPRIATE GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES FOR GENETIC ASSESSMENT OF A CLIENT.

(iv) INTEGRATING GENETIC LABORATORY TEST RESULTS AND OTHER DIAGNOSTIC STUDIES WITH PERSONAL AND FAMILY MEDICAL HISTORY TO ASSESS AND COMMUNICATE A CLIENT'S RISK FACTORS FOR GENETIC OR MEDICAL CONDITIONS OR DISEASES.

(v) EXPLAINING THE CLINICAL IMPLICATIONS OF GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES AND THEIR RESULTS.

(vi) 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.

(vii) IDENTIFYING AND UTILIZING COMMUNITY RESOURCES THAT PROVIDE MEDICAL, EDUCATIONAL, FINANCIAL, AND PSYCHOSOCIAL SUPPORT AND ADVOCACY.

(viii) PROVIDING WRITTEN DOCUMENTATION OF MEDICAL, GENETIC, AND COUNSELING INFORMATION FOR FAMILIES AND HEALTH CARE PROFESSIONALS.

(D) "QUALIFIED SUPERVISOR" MEANS AN INDIVIDUAL WHO IS A GENETIC COUNSELOR OR A PHYSICIAN.

(E) "TEMPORARY LICENSED GENETIC COUNSELOR" MEANS A GENETIC COUNSELOR WHO HAS BEEN ISSUED A TEMPORARY LICENSE UNDER THIS ARTICLE.

(2) IN ADDITION TO THE DEFINITIONS IN THIS SECTION, ARTICLE 1 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION APPLICABLE TO ALL ARTICLES IN THIS ACT AND PART 161 CONTAINS DEFINITIONS APPLICABLE TO THIS PART.

SEC. 18603. (1) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL PROMULGATE RULES THAT SPECIFY THE MINIMUM STANDARDS FOR LICENSURE, TEMPORARY LICENSURE, AND LICENSE RENEWAL. THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, SHALL ADOPT BY REFERENCE THE PROFESSIONAL STANDARDS AND CONTINUOUS PROFESSIONAL EDUCATION STANDARDS ISSUED BY A NATIONALLY RECOGNIZED CERTIFYING AGENCY FOR GENETIC COUNSELORS.

(2) IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS ARTICLE, THE BOARD SHALL PERFORM OTHER FUNCTIONS AND DUTIES AS NECESSARY TO CARRY OUT THIS PART.

SEC. 18605. TO BE LICENSED UNDER THIS PART, AN INDIVIDUAL SHALL DO ALL OF THE FOLLOWING:

(A) SUBMIT AN APPLICATION PRESCRIBED BY THE BOARD.

(B) PAY THE FEE PRESCRIBED IN SECTION 16340.

(C) PROVIDE SATISFACTORY EVIDENCE OF HAVING CURRENT

1 CERTIFICATION THROUGH A NATIONALLY RECOGNIZED CERTIFYING AGENCY
2 FOR GENETIC COUNSELORS OR MEDICAL GENETICISTS APPROVED BY THE
3 BOARD.

4 SEC. 18607. BEGINNING JANUARY 1, 2015, AN INDIVIDUAL SHALL
5 NOT ENGAGE IN THE PRACTICE OF GENETIC COUNSELING UNLESS HE OR SHE
6 IS LICENSED UNDER THIS PART.

7 SEC. 18609. A TEMPORARY LICENSED GENETIC COUNSELOR SHALL
8 WORK UNDER THE SUPERVISION OF A QUALIFIED SUPERVISOR AT ALL TIMES
9 DURING WHICH THE TEMPORARY LICENSED GENETIC COUNSELOR ENGAGES IN
10 THE PRACTICE OF GENETIC COUNSELING.

11 SEC. 18611. AN INDIVIDUAL WHO IS NOT LICENSED UNDER THIS
12 PART SHALL NOT USE IN CONNECTION WITH HIS OR HER NAME OR PLACE OF
13 BUSINESS, THE TITLE "GENETIC COUNSELOR", "LICENSED GENETIC
14 COUNSELOR", "GENE COUNSELOR", "GENETIC CONSULTANT", "GENETIC
15 ASSOCIATE" OR ANY WORDS, LETTERS, ABBREVIATIONS, OR INSIGNIA
16 INDICATING OR IMPLYING A PERSON HOLDS A LICENSE TO ENGAGE IN THE
17 PRACTICE OF GENETIC COUNSELING UNDER THIS PART.

18 SEC. 18613. NOTWITHSTANDING SECTION 18611, THIS PART DOES
19 NOT APPLY TO AN INDIVIDUAL LICENSED BY THIS STATE TO PRACTICE IN
20 A HEALTH PROFESSION OTHER THAN THE PRACTICE OF GENETIC COUNSELING
21 WHEN ACTING WITHIN THE SCOPE OF THE INDIVIDUAL'S HEALTH
22 PROFESSION AND DOING WORK OF A NATURE CONSISTENT WITH THE
23 PERSON'S TRAINING.

24 SEC. 18615. TO OBTAIN A LICENSE RENEWAL UNDER THIS PART, A
25 LICENSEE SHALL PRESENT SATISFACTORY EVIDENCE TO THE BOARD THAT IN
26 THE PERIOD SINCE THE LICENSE WAS ISSUED OR LAST RENEWED THE
27 LICENSEE HAS MAINTAINED CERTIFICATION THROUGH A NATIONALLY

1 RECOGNIZED CERTIFYING AGENCY APPROVED BY THE BOARD.