

LICENSURE OF GENETIC COUNSELORS

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House Bill 5783 as introduced
Sponsor: Rep. Mike Callton, D.C.
Committee: Health Policy
Complete to 9-19-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5783 would amend Part 170 of the Public Health Code by creating rules for licensure and regulation of genetic counselors, adding a genetic counselor representative to the Michigan Board of Medicine, and prohibiting unlicensed individuals for purporting themselves to be genetic counselors.

Definition of genetic counseling

A *genetic counselor* would mean an individual licensed under Part 170 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 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.
- Discussing the features, natural history, means of diagnoses, genetic and environmental factors, and management of the genetic risks of genetic or medical conditions or diseases with a client.
- 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 studies 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 utilizing community resources that provide medical, educational, financial, and psychosocial support and advocacy to a client.
- Providing written documentation of medical, genetic, and counseling information for families and health care professionals.

Representation on Michigan Board of Medicine

Currently, the Michigan Board of Medicine (within the Department of Licensing and Regulatory Affairs, or LARA) is composed of 19 members, of which ten are physicians, one is a physician's assistant, and eight are members of the public. The bill would provide

that, once one of the public members vacates the office and at all other times afterward, one genetic counselor, appointed by the governor, would serve on the board.

Minimum standards in rules

Rules specifying the minimum standards for licensure, temporary licensure, and license renewal would be promulgated by the Department of Licensing and Regulatory Affairs in consultation with the board. The board must also perform other functions and duties as necessary to carry out the regulation of genetic counselors. Beginning one year after the effective date of these rules, an individual may not engage in the practice of genetic counseling unless licensed as a genetic counselor under this part.

Licensure as a genetic counselor

In order to be licensed as a genetic counselor, an individual must submit an application prescribed by the board, pay the fee listed below, 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.

License fees

Fees for engaging in the practice of genetic counseling would be \$55 for the license application processing fee; \$95 annually for the license fee; and \$50 per year for a temporary license.

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.

Protected titles

An individual who is not licensed as a genetic counselor may not use the following terms in connection with his or her name or place of business: "genetic counselor," "licensed genetic counselor," "gene counselor," "genetic consultant," "genetic associate," or any words, letters, abbreviations or insignia indicating or implying licensure.

This prohibition on using protected titles, as well as the minimum standards, and rules for licensure and temporary licenses as a genetic counselor, listed above, do not apply to an individual licensed to engage in another health profession, acting within the scope of that profession, and doing work consistent with that person's education and training.

MCL 333.17001 and 333.17021; proposed MCL 333.16326 and 333.17091 to 333.17096

FISCAL IMPACT:

House Bill 5783 would have a significant fiscal impact on the Department of Licensing and Regulatory Affairs. The bill would establish fees for individuals seeking licensure to engage in genetic counseling: a \$55.00 application processing fee, a \$95.00 license fee, and a \$50.00 temporary license fee would all be implemented. The department is currently unable to provide estimates of the number of individuals that would seek licensure, so total expected revenues from these fees cannot be computed. The department would experience minimal administrative costs associated with the promulgation of new rules specifying the minimum standards for licensure and license renewal. The bill would not have any significant fiscal impacts on local units of government.

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