

LICENSURE OF GENETIC COUNSELORS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5783 (proposed substitute H-2)

Sponsor: Rep. Mike Callton, D.C.

Committee: Health Policy

Complete to 11-9-16

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

SUMMARY:

House Bill 5783 would add a Part 176A to the Public Health Code to create rules for licensure and regulation of genetic counselors, create a Board of Genetic Counseling in the Department of Licensing and Regulatory Affairs (LARA), and prohibit unlicensed individuals from purporting themselves to be genetic counselors.

Definition of genetic counseling

A *genetic counselor* would mean an individual licensed under Part 176A 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.

Creation of Michigan Board of Genetic Counseling

The bill would create a board of genetic counseling in the Department of Licensing and Regulatory Affairs (LARA), which would consist of seven members: five genetic counselors and two members of the general public, one of whom is a consumer of genetic

counseling. Except as otherwise provided in Article 15 of the Code, which governs occupations, the term of office of a member of the board is four years, ending on December 31 of the applicable year. For the initial members of the board, two members will serve for two years, two for three years, and two for four years.

Minimum standards in rules

Under the bill, LARA, in consultation with the genetic counseling board, would promulgate rules specifying the minimum standards for licensure, temporary licensure, and license renewal. Also in consultation with the board, LARA would perform other functions and duties as necessary to carry out the regulation of genetic counselors.

Licensure as a genetic counselor

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. 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 meet standards established by the board. (Until the board establishes standards, it will consider satisfactory evidence of current certification through a nationally recognized certifying agency for genetic counselors to fulfill this requirement.)

These same three requirements apply when one is obtaining a license renewal, with an applicant submitting a renewal application.

License fees

Fees for engaging in the practice of genetic counseling would be \$75 for the license application processing fee; \$95 annually for the license fee; and \$50 per year for a temporary license. LARA will charge a \$20 late renewal fee if a person fails to renew a license or registration on or before the current license's expiration date.

Temporary licenses

A temporary licensed genetic counselor would have to work under the supervision of a qualified supervisor at all times while engaged in the practice of genetic counseling. A "qualified supervisor" is defined as a genetic counselor who holds a non-temporary license under this part.

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, listed above, do not apply to an individual licensed by Michigan to engage in another health profession, acting within the scope of that profession, and doing work consistent with that person's education and training.

The new Part 176A does not require new or additional third party reimbursement or mandated worker's compensation benefits for services rendered by an individual who is licensed as a genetic counselor.

MCL 333.16301; proposed MCL 333.16332; and part 176A.

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 \$75.00 application processing fee, a \$95.00 license fee, and a \$50.00 temporary license fee would all be implemented. It would also institute a \$20.00 late renewal fee if a person fails to renew a license or registration before the current license expires. 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.

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Marcus Coffin

■ 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.