



General Assembly

January Session, 2015

Raised Bill No. 857

LCO No. 3012



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING LICENSURE FOR GENETIC COUNSELORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2015*) As used in this section
2 and sections 2 to 7, inclusive, of this act: (1) "Genetic counselor" means
3 a person who has been licensed as a genetic counselor under the
4 provisions of sections 2 to 7, inclusive, of this act; and (2) "genetic
5 counseling" means the provision of services to individuals, couples,
6 families and organizations by an appropriately trained individual to
7 address the physical and psychological issues associated with the
8 occurrence or risk of occurrence of a genetic disorder, birth defect or
9 genetically influenced condition or disease in an individual or a family.

10 Sec. 2. (NEW) (*Effective October 1, 2015*) (a) No person may practice
11 genetic counseling unless licensed pursuant to sections 3 and 4 of this
12 act.

13 (b) No person may use the title "licensed genetic counselor" or the
14 designation "LGC" or make use of any title, words, letters or
15 abbreviations that may reasonably be confused with licensure as a

16 genetic counselor unless such person is licensed pursuant to sections 3
17 and 4 of this act.

18 (c) The provisions of this section shall not apply to a person who (1)
19 is licensed under chapter 370 of the general statutes, (2) is an advanced
20 practice registered nurse licensed under chapter 378 of the general
21 statutes, (3) is a nurse-midwife licensed under chapter 377 of the
22 general statutes, (4) provides genetic counseling while acting within
23 the scope of practice of the person's license and training, provided the
24 person does not hold himself or herself out to the public as a genetic
25 counselor, (5) is employed by the federal government to provide
26 genetic counseling while in the discharge of the person's official duties,
27 or (6) is a student enrolled in (A) a genetic counseling educational
28 program, (B) a medical genetics educational program accredited by the
29 American Board of Genetic Counseling, or any successor of said board,
30 or the American Board of Medical Genetics, or (C) a graduate nursing
31 education program in genetics, and genetic counseling is an integral
32 part of the student's course of study and such student is performing
33 such counseling under the direct supervision of a licensed genetic
34 counselor or physician.

35 Sec. 3. (NEW) (*Effective October 1, 2015*) (a) The Commissioner of
36 Public Health shall grant a license as a genetic counselor to any
37 applicant who furnishes evidence satisfactory to the commissioner that
38 such applicant has met the requirements of this section. The
39 commissioner shall develop and provide application forms. The
40 application fee shall be three hundred fifteen dollars.

41 (b) Licenses issued under this section may be renewed annually
42 pursuant to section 19a-88 of the general statutes. The fee for such
43 renewal shall be one hundred ninety dollars. Each licensed genetic
44 counselor applying for license renewal shall furnish evidence
45 satisfactory to the commissioner of having current certification with
46 the American Board of Genetic Counseling, or any successor of said
47 board, or the American Board of Medical Genetics.

48 Sec. 4. (NEW) (*Effective from passage*) (a) Except as provided in
49 subsections (b) and (c) of this section, an applicant for a license as a
50 genetic counselor shall submit evidence satisfactory to the
51 Commissioner of Public Health of having earned a certification as a
52 genetic counselor from the American Board of Genetic Counseling, or
53 any successor of said board, or the American Board of Medical
54 Genetics or a certification as a medical geneticist from the American
55 Board of Medical Genetics.

56 (b) An applicant for a license as a genetic counselor may, in lieu of
57 the requirements set forth in subsection (a) of this section, submit
58 evidence satisfactory to the commissioner of having, prior to October
59 1, 2015: (1) Acquired eight years of experience in the practice of genetic
60 counseling; (2) earned, from an accredited institution of higher
61 education, a master's or doctoral degree in genetics or a related field;
62 and (3) attended a continuing education program approved by the
63 National Society of Genetic Counselors within the five-year period
64 prior to the date of application.

65 (c) An applicant for licensure by endorsement shall present
66 evidence satisfactory to the commissioner that the applicant is licensed
67 or certified as a genetic counselor, or as a person entitled to perform
68 similar services under a different designation, in another state or
69 jurisdiction that has requirements for practicing in such capacity that
70 are substantially similar to, or higher than, those of this state and that
71 there are no disciplinary actions or unresolved complaints pending.

72 Sec. 5. (NEW) (*Effective October 1, 2015*) The Department of Public
73 Health may issue a temporary permit to an applicant for licensure as a
74 genetic counselor who holds a master's degree or higher in genetic
75 counseling or a related field. Such temporary permit shall authorize
76 the holder to practice as a genetic counselor. Such temporary permit
77 shall be valid for a period not to exceed five hundred calendar days
78 after the date of attaining such master's degree or higher and shall not
79 be renewable. Such temporary permit shall become void and shall not

80 be reissued in the event the applicant fails to pass the examination for
81 certification as a genetic counselor or medical geneticist by the
82 American Board of Genetic Counseling, or any successor of said board,
83 or the American Board of Medical Genetics. The fee for a temporary
84 permit shall be fifty dollars.

85 Sec. 6. (NEW) (*Effective October 1, 2015*) The Commissioner of Public
86 Health may take any disciplinary action set forth in section 19a-17 of
87 the general statutes against a genetic counselor for any of the following
88 reasons: (1) Failure to conform to the accepted standards of the
89 profession; (2) conviction of a felony; (3) fraud or deceit in obtaining or
90 seeking reinstatement of a license to practice genetic counseling; (4)
91 fraud or deceit in the practice of genetic counseling; (5) negligent,
92 incompetent or wrongful conduct in professional activities; (6)
93 physical, mental or emotional illness or disorder resulting in an
94 inability to conform to the accepted standards of the profession; (7)
95 alcohol or substance abuse; or (8) wilful falsification of entries in any
96 hospital, patient or other record pertaining to genetic counseling. The
97 commissioner may order a license holder to submit to a reasonable
98 physical or mental examination if his or her physical or mental
99 capacity to practice safely is the subject of an investigation. The
100 commissioner may petition the superior court for the judicial district of
101 Hartford to enforce such order or any action taken pursuant to section
102 19a-17 of the general statutes. The commissioner shall give notice and
103 an opportunity to be heard on any contemplated action under section
104 19a-17 of the general statutes.

105 Sec. 7. (NEW) (*Effective October 1, 2015*) The Commissioner of Public
106 Health may adopt regulations, in accordance with the provisions of
107 chapter 54 of the general statutes, to implement the provisions of
108 sections 1 to 6, inclusive, of this act.

109 Sec. 8. Subsection (c) of section 19a-14 of the general statutes is
110 repealed and the following is substituted in lieu thereof (*Effective*
111 *October 1, 2015*):

112 (c) No board shall exist for the following professions that are
113 licensed or otherwise regulated by the Department of Public Health:

114 (1) Speech and language pathologist and audiologist;

115 (2) Hearing instrument specialist;

116 (3) Nursing home administrator;

117 (4) Sanitarian;

118 (5) Subsurface sewage system installer or cleaner;

119 (6) Marital and family therapist;

120 (7) Nurse-midwife;

121 (8) Licensed clinical social worker;

122 (9) Respiratory care practitioner;

123 (10) Asbestos contractor and asbestos consultant;

124 (11) Massage therapist;

125 (12) Registered nurse's aide;

126 (13) Radiographer;

127 (14) Dental hygienist;

128 (15) Dietitian-Nutritionist;

129 (16) Asbestos abatement worker;

130 (17) Asbestos abatement site supervisor;

131 (18) Licensed or certified alcohol and drug counselor;

132 (19) Professional counselor;

- 133 (20) Acupuncturist;
- 134 (21) Occupational therapist and occupational therapist assistant;
- 135 (22) Lead abatement contractor, lead consultant contractor, lead
136 consultant, lead abatement supervisor, lead abatement worker,
137 inspector and planner-project designer;
- 138 (23) Emergency medical technician, advanced emergency medical
139 technician, emergency medical responder and emergency medical
140 services instructor;
- 141 (24) Paramedic;
- 142 (25) Athletic trainer;
- 143 (26) Perfusionist;
- 144 (27) Master social worker subject to the provisions of section 20-
145 195v;
- 146 (28) Radiologist assistant, subject to the provisions of section 20-74tt;
- 147 (29) Homeopathic physician;
- 148 (30) Certified water treatment plant operator, certified distribution
149 system operator, certified small water system operator, certified
150 backflow prevention device tester and certified cross connection
151 survey inspector, including certified limited operators, certified
152 conditional operators and certified operators in training; [and]
- 153 (31) Tattoo technician; and
- 154 (32) Genetic counselor.

155 The department shall assume all powers and duties normally vested
156 with a board in administering regulatory jurisdiction over such
157 professions. The uniform provisions of this chapter and chapters 368v,

158 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
159 and 400c, including, but not limited to, standards for entry and
160 renewal; grounds for professional discipline; receiving and processing
161 complaints; and disciplinary sanctions, shall apply, except as otherwise
162 provided by law, to the professions listed in this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	New section
Sec. 2	<i>October 1, 2015</i>	New section
Sec. 3	<i>October 1, 2015</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>October 1, 2015</i>	New section
Sec. 6	<i>October 1, 2015</i>	New section
Sec. 7	<i>October 1, 2015</i>	New section
Sec. 8	<i>October 1, 2015</i>	19a-14(c)

Statement of Purpose:

To establish licensure requirements for genetic counselors.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]