



General Assembly

Substitute Bill No. 437

February Session, 2014



**AN ACT CONCERNING LICENSURE FOR GENETIC COUNSELORS
AND THE PRACTICE OF NATUREOPATHY.**

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

1 Section 1. (NEW) (*Effective October 1, 2014*) 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, 2014*) (a) No person may practice
11 genetic counseling unless licensed pursuant to sections 1 to 7,
12 inclusive, of this 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 1
17 to 7, inclusive, 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 the 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, 2014*) (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) Prior to October 1, 2014, an applicant for a license as a genetic
57 counselor may, in lieu of the requirements set forth in subsection (a) of
58 this section, submit evidence satisfactory to the commissioner of
59 having: (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 whose requirements for practicing in such capacity are
70 substantially similar to or higher than those of this state and that there
71 are no disciplinary actions or unresolved complaints pending.

72 Sec. 5. (NEW) (*Effective October 1, 2014*) 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, 2014*) 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, 2014*) 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 2014 supplement to the
110 general statutes is repealed and the following is substituted in lieu
111 thereof (*Effective October 1, 2014*):

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.

163 Sec. 9. Section 20-34 of the general statutes is repealed and the
164 following is substituted in lieu thereof (*Effective October 1, 2014*):

165 (a) The practice of natureopathy means the science, art and practice
 166 of healing [by natural methods as recognized by the Council of
 167 Natureopathic Medical Education and] that comprises diagnosis,
 168 prevention and treatment of disease and health optimization by
 169 stimulation and support of the body's natural healing processes, as
 170 approved by the State Board of Natureopathic Examiners, with the
 171 consent of the [commissioner] Commissioner of Public Health, and
 172 shall include (1) counseling; [and] (2) the practice of the mechanical
 173 and material sciences of healing as follows: The mechanical sciences
 174 such as mechanotherapy, articular manipulation, corrective and
 175 orthopedic gymnastics, physiotherapy, hydrotherapy, electrotherapy
 176 and phototherapy; and the material sciences such as nutrition,
 177 dietetics, phytotherapy, treatment by natural substances and external
 178 applications; (3) ordering diagnostic tests and other diagnostic
 179 procedures; (4) ordering medical devices, including continuous
 180 glucose monitors, glucose meters, glucose test strips, barrier
 181 contraceptives and durable medical equipment; and (5) removing ear
 182 wax, removing foreign bodies from the ear, nose and skin, shaving
 183 corns and calluses, spirometry, tuberculosis testing, vaccine
 184 administration, venipuncture for blood testing and minor wound
 185 repair, including suturing.

186 (b) For purposes of subsection (a) of this section, "natural
 187 substances" means substances [which] that are not narcotic substances,
 188 as defined in subdivision (30) of section 21a-240, do not require the
 189 written or oral prescription of a licensed practitioner to be dispensed
 190 and are only administered orally.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	New section
Sec. 3	<i>October 1, 2014</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>October 1, 2014</i>	New section

Sec. 6	<i>October 1, 2014</i>	New section
Sec. 7	<i>October 1, 2014</i>	New section
Sec. 8	<i>October 1, 2014</i>	19a-14(c)
Sec. 9	<i>October 1, 2014</i>	20-34

Statement of Legislative Commissioners:

In sections 2(a) and (b), the phrase, "sections 3 and 4 of this act" was changed to "sections 1 to 7, inclusive, of this act", for accuracy; and in section 2(c)(6)(C), the phrase "and is performing" was changed to "and the student is performing", for clarity.

PH *Joint Favorable Subst.*