
OLR Bill Analysis

sSB 437

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

SUMMARY:

This bill requires anyone practicing genetic counseling to be licensed by the Department of Public Health (DPH). Licenses cost \$350 and may be renewed annually through the DPH online system for \$190. The bill establishes license qualifications, application and renewal processes, and grounds for disciplinary action against licensees. It also allows DPH to issue nonrenewable temporary permits.

Under the bill, “genetic counseling” means providing services that address the physical and psychological issues associated with the occurrence or risk of a genetic disorder, birth defect, or genetically influenced condition or disease in an individual or a family. The bill allows the commissioner to adopt regulations to implement genetic counseling licensing and specifies that no board exists for genetic licensure.

The bill also expands the definition of naturopathy and its scope of practice to specifically include, among other things, the science, art, and practice of healing that comprises diagnosing, preventing, and treating diseases and optimizing health by stimulating and supporting the body’s natural healing processes. It eliminates the requirement that the natural healing methods be recognized by the Council of Natureopathic Medical Education. By law, and unchanged by the bill, these methods must be approved by the State Board of Natureopathic Examiners, with the consent of the public health commissioner.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2014, except for the genetic

counselor licensing requirement, which is effective upon passage.

GENETIC COUNSELING

§ 2 — *Restrictions on Practice*

Under the bill, no one without a genetic counseling license may (1) practice genetic counseling or (2) use the title “licensed genetic counselor”; the designation “LGC”; or any title, words, letters, or abbreviations that may reasonably be confused with a genetic counselor license, unless he or she is:

1. licensed as a doctor, advanced practice registered nurse, physician’s assistant, or nurse-midwife;
2. employed by the federal government to provide genetic counseling; or
3. a student enrolled in a (a) genetic counseling education program, medical genetics education program accredited by the American Board of Genetic Counseling or the American Board of Medical Genetics, or (b) a graduate nursing education program in genetics of which genetic counseling is an integral part, and also working under the direct supervision of a licensed genetic counselor or physician.

Others may provide genetic counseling while acting within the scope of their licenses and training, provided they do not present themselves as genetic counselors.

§§ 3 & 4 — *License Requirements, Applications, and Renewals*

The bill requires the DPH commissioner to issue a genetic counseling license to any applicant who submits, on a DPH form, evidence that he or she is certified (1) by the American Board of Genetic Counseling or the American Board of Medical Genetics or (2) as a medical geneticist by the American Board of Medical Genetics. To renew, licensees must prove they are certified with the American Board of Genetic Counseling or the American Board of Medical Genetics.

Those applying for licensure prior to October 1, 2014, may instead submit evidence of having (1) practiced genetic counseling for eight years, (2) earned a master's or doctoral degree in genetics or a related field from an accredited higher education institution, and (3) attended a continuing education program approved by the National Society of Genetic Counselors within the five years before applying.

Applicants for licensure by endorsement must provide evidence that they are licensed or certified as genetic counselors (or as a person entitled to perform similar services under a different title) in another state or jurisdiction, provided that (1) the requirements for practicing are similar or higher than those in Connecticut, and (2) there are no pending disciplinary actions or unresolved complaints against the applicant.

§ 6 — *Enforcement and Disciplinary Action*

The bill authorizes the commissioner to take any appropriate disciplinary action within her authority, including, among other things, revoking or suspending a license or censuring a licensee, for:

1. failure to conform to the accepted standards of the profession;
2. felony convictions;
3. fraud or deceit in (a) obtaining or renewing a license or (b) the practice of genetic counseling;
4. negligence, incompetence, or wrongful conduct in professional activities;
5. physical, mental, or emotional illness or disorder resulting in an inability to conform to professional standards (the bill allows the commissioner to require a licensee submit to a reasonable physical or mental examination if his or her ability to practice safely is being investigated);
6. alcohol or substance abuse; or
7. willfully falsifying entries in any hospital, patient, or other

related record.

The commissioner must give a licensee notice and an opportunity to be heard prior to taking disciplinary action and may ask Hartford Superior Court to enforce any such action.

§ 5 — *Temporary Permits*

The bill allows DPH to issue nonrenewable temporary permits to applicants with at least a master's degree in genetic counseling or a related field allowing them to practice genetic counseling for up to 500 calendar days after receiving their degree. The permit is void and cannot be reissued if the applicant fails to pass the genetic counselor or medical geneticist certification exam offered by the American Board of Genetic Counseling or the American Board of Medical Genetics. The temporary permit fee is \$50.

NATUROPATHY

The bill expands the scope of naturopathic practice to include:

1. ordering diagnostic tests and other diagnostic procedures;
2. ordering medical devices, including continuous glucose monitors, glucose meters and test strips, barrier contraceptives, and durable medical equipment;
3. removing ear wax and foreign bodies from the ear, nose and skin;
4. shaving corns and calluses;
5. spirometry (i.e. breath and lung capacity analysis);
6. tuberculosis testing;
7. vaccine administration; and
8. venipuncture for blood testing and minor wound repair, including suturing.

By law, unchanged by the bill, naturopathic practitioners can

conduct counseling; offer treatment by natural substances; and perform several mechanical therapies, including orthopedic gymnastics and hydrotherapy.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/27/2014)