



General Assembly

Substitute Bill No. 857

January Session, 2015



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 sections 2 to 6, inclusive, of this act and section 19a-14 of the general
3 statutes, as amended by this act: (1) "Genetic counselor" means a
4 person who has been licensed as a genetic counselor under the
5 provisions of sections 2 to 6, inclusive, of this act; and (2) "genetic
6 counseling" means the provision of services to individuals, couples,
7 families and organizations by an appropriately trained individual to
8 address the physical and psychological issues associated with the
9 occurrence or risk of occurrence of a genetic disorder, birth defect or
10 genetically influenced condition or disease in an individual or a family.

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

14 (b) No person may use the title "genetic counselor", "licensed genetic
15 counselor", "gene counselor", "genetic consultant", "genetic associate",
16 or the designation "LGC" or make use of any title, words, letters,
17 abbreviations or insignia that may reasonably be confused with
18 licensure as a genetic counselor unless such person is licensed
19 pursuant to section 3 of this act or has been issued a temporary permit
20 pursuant to section 4 of this act.

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

38 Sec. 3. (NEW) (*Effective from passage*) (a) The Commissioner of Public
39 Health shall grant a license as a genetic counselor to any applicant
40 who, except as provided in subsections (b) and (c) of this section,
41 furnishes evidence satisfactory to the commissioner that such applicant
42 has earned a certification as a genetic counselor from the American
43 Board of Genetic Counseling, or any successor of said board, or the
44 American Board of Medical Genetics and Genomics. The commissioner
45 shall develop and provide application forms. The application fee shall
46 be three hundred fifteen dollars.

47 (b) An applicant for a license as a genetic counselor may, in lieu of
48 the requirements set forth in subsection (a) of this section, submit
49 evidence satisfactory to the commissioner of having, prior to October
50 1, 2015: (1) Acquired eight years of experience in the practice of genetic
51 counseling; (2) earned, from an accredited institution of higher
52 education, a master's or doctoral degree in genetics or a related field;
53 and (3) attended a continuing education program approved by the

54 National Society of Genetic Counselors within the five-year period
55 prior to the date of application.

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

63 (d) Licenses issued under this section shall be renewed annually.
64 The fee for such renewal shall be one hundred ninety dollars. Each
65 licensed genetic counselor applying for license renewal shall furnish
66 evidence satisfactory to the commissioner of having current
67 certification with the American Board of Genetic Counseling, or any
68 successor of said board, or the American Board of Medical Genetics
69 and Genomics and having obtained continuing education units for
70 certification as required by said boards.

71 Sec. 4. (NEW) (*Effective October 1, 2015*) The Department of Public
72 Health may issue a temporary permit to an applicant for licensure as a
73 genetic counselor who holds a master's degree or higher in genetic
74 counseling or a related field. Such temporary permit shall authorize
75 the holder to practice as a genetic counselor. Such temporary permit
76 shall be valid for a period not to exceed five hundred calendar days
77 after the date of attaining such master's degree or higher and shall not
78 be renewable. Such temporary permit shall become void and shall not
79 be reissued in the event the applicant fails to pass the examination for
80 certification by the American Board of Genetic Counseling, or any
81 successor of said board, or the American Board of Medical Genetics
82 and Genomics. The fee for a temporary permit shall be fifty dollars.

83 Sec. 5. (NEW) (*Effective October 1, 2015*) The Commissioner of Public
84 Health may take any disciplinary action set forth in section 19a-17 of
85 the general statutes against a genetic counselor for any of the following

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

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

107 Sec. 7. Subsection (c) of section 19a-14 of the general statutes is
108 repealed and the following is substituted in lieu thereof (*Effective*
109 *October 1, 2015*):

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

112 (1) Speech and language pathologist and audiologist;

113 (2) Hearing instrument specialist;

114 (3) Nursing home administrator;

115 (4) Sanitarian;

- 116 (5) Subsurface sewage system installer or cleaner;
- 117 (6) Marital and family therapist;
- 118 (7) Nurse-midwife;
- 119 (8) Licensed clinical social worker;
- 120 (9) Respiratory care practitioner;
- 121 (10) Asbestos contractor and asbestos consultant;
- 122 (11) Massage therapist;
- 123 (12) Registered nurse's aide;
- 124 (13) Radiographer;
- 125 (14) Dental hygienist;
- 126 (15) Dietitian-Nutritionist;
- 127 (16) Asbestos abatement worker;
- 128 (17) Asbestos abatement site supervisor;
- 129 (18) Licensed or certified alcohol and drug counselor;
- 130 (19) Professional counselor;
- 131 (20) Acupuncturist;
- 132 (21) Occupational therapist and occupational therapist assistant;
- 133 (22) Lead abatement contractor, lead consultant contractor, lead
134 consultant, lead abatement supervisor, lead abatement worker,
135 inspector and planner-project designer;
- 136 (23) Emergency medical technician, advanced emergency medical
137 technician, emergency medical responder and emergency medical

- 138 services instructor;
- 139 (24) Paramedic;
- 140 (25) Athletic trainer;
- 141 (26) Perfusionist;
- 142 (27) Master social worker subject to the provisions of section 20-
143 195v;
- 144 (28) Radiologist assistant, subject to the provisions of section 20-74tt;
- 145 (29) Homeopathic physician;
- 146 (30) Certified water treatment plant operator, certified distribution
147 system operator, certified small water system operator, certified
148 backflow prevention device tester and certified cross connection
149 survey inspector, including certified limited operators, certified
150 conditional operators and certified operators in training; [and]
- 151 (31) Tattoo technician; and
- 152 (32) Genetic counselor.

153 The department shall assume all powers and duties normally vested
154 with a board in administering regulatory jurisdiction over such
155 professions. The uniform provisions of this chapter and chapters 368v,
156 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
157 and 400c, including, but not limited to, standards for entry and
158 renewal; grounds for professional discipline; receiving and processing
159 complaints; and disciplinary sanctions, shall apply, except as otherwise
160 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>from passage</i>	New section
Sec. 4	<i>October 1, 2015</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>	19a-14(c)

PH *Joint Favorable Subst.*

APP *Joint Favorable*