



House of Representatives

General Assembly

File No. 682

January Session, 2019

Substitute House Bill No. 6544

House of Representatives, April 17, 2019

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE SHARING OF GENETIC DATA BY GENETIC TESTING COMPANIES AND THE PRACTICE OF NATUROPATHY.

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

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this
2 section:

3 (1) "Direct-to-consumer genetic testing company" means a company
4 that sells a genetic test directly to the consumer without requiring the
5 involvement of any health care provider;

6 (2) "Health carrier" means an insurance company, health care center,
7 hospital service corporation, medical service corporation, fraternal
8 benefit society or other entity that delivers, issues for delivery, renews,
9 amends or continues a health care plan in this state; and

10 (3) "Life insurance company" means a company engaged in writing
11 policies or annuities the premiums on which are charged wholly or
12 chiefly on the basis of tables purporting to represent the mortality of

13 insured lives or of annuitants.

14 (b) No direct-to-consumer genetic testing company shall share any
15 personally identifiable genetic data or other personally identifiable
16 information concerning a person with any health carrier or life
17 insurance company without the person's consent.

18 (c) Any direct-to-consumer genetic testing company that violates
19 any provision of subsection (b) of this section shall be subject to a civil
20 penalty of not more than one thousand dollars per violation.

21 Sec. 2. Section 20-34 of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective October 1, 2019*):

23 (a) The practice of naturopathy means the science, art and practice
24 of healing by natural methods as recognized by the Council of
25 Naturopathic Medical Education and that comprises diagnosis,
26 prevention and treatment of disease and health optimization by
27 stimulation and support of the body's natural healing processes, as
28 approved by the State Board of Naturopathic Examiners, with the
29 consent of the Commissioner of Public Health, and shall include: (1)
30 [counseling] Counseling; (2) the practice of (A) the [mechanical and
31 material] physical sciences of healing as follows: [The mechanical
32 sciences such as mechanotherapy, articular] Articular manipulation,
33 [corrective and orthopedic gymnastics,] physiotherapy, hydrotherapy,
34 electrotherapy and phototherapy; and [the material] (B) the sciences,
35 [such as] including, but not limited to, nutrition, dietetics,
36 phytotherapy, treatment by natural substances and external
37 applications; (3) ordering diagnostic tests and other diagnostic
38 procedures as such tests and procedures relate to the practice of
39 [mechanical and material] physical sciences of healing as described in
40 subparagraph (A) of subdivision (2) of this subsection; (4) ordering
41 medical devices and durable medical equipment; [and] (5) removing
42 ear wax, spirometry, tuberculosis testing; and (6) venipuncture for
43 blood testing.

44 (b) (1) For purposes of subsection (a) of this section, "natural

45 substances" means substances that (A) are not narcotic substances, as
 46 defined in subdivision (30) of section 21a-240, (B) do not require the
 47 written or oral prescription of a licensed practitioner to be dispensed,
 48 and (C) are only administered orally.

49 (2) The Department of Public Health, in consultation with the State
 50 Board of Naturopathic Examiners established pursuant to section 20-
 51 35, may (A) establish educational and examination requirements or
 52 other qualifications to permit a naturopathic physician to prescribe,
 53 dispense and administer prescription medicines, except any opioid
 54 drugs, as defined in section 20-14o, consistent with his or her scope of
 55 practice, and (B) establish a naturopathic formulary of prescription
 56 medicines, which shall not include any opioid drugs, as defined in said
 57 section, that a naturopathic physician who meets such educational and
 58 examination requirements or other qualifications may use consistent
 59 with his or her practice and training. At least triennially, the
 60 Department of Public Health, in consultation with the State Board of
 61 Naturopathic Examiners, shall update any naturopathic formulary of
 62 prescription medicines established under this subdivision.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	New section
Sec. 2	October 1, 2019	20-34

PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which prohibits direct-to-consumer genetic testing companies from sharing personally identifiable information and modifies the scope of practice of naturopathy, is not anticipated to result in a fiscal impact to the State or municipalities. The number of naturopathic physicians licensed annually by the Department of Public Health is expected to remain unchanged.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 6544*****AN ACT CONCERNING THE SHARING OF GENETIC DATA BY GENETIC TESTING COMPANIES AND THE PRACTICE OF NATUROPATHY.*****SUMMARY**

This bill prohibits direct-to-consumer genetic testing companies from sharing an individual's personally identifiable information, including genetic data, with health carriers (e.g., insurers or HMOs) or life insurance companies without the individual's consent. It subjects violators to a civil penalty of up to \$1,000 per violation. Under the bill, "direct-to-consumer genetic testing companies" are those that sell genetic tests directly to consumers without requiring a health care provider's involvement.

Additionally, the bill modifies the scope of practice of naturopathy by including the practice of "physical sciences" of health instead of "mechanical and material sciences." It also removes corrective and orthopedic gymnastics from the types of therapies naturopathic physicians may practice. Existing law already allows naturopathic physicians to practice (1) articular manipulation, physiotherapy, hydrotherapy, electrotherapy, and phototherapy and (2) sciences such as nutrition, dietetics, phytotherapy, and treatment by natural substances and applications.

The bill also permits the Department of Public Health (DPH), in consultation with the State Board of Naturopathic Examiners, to establish (1) educational, examination, or other requirements to allow a naturopath to prescribe, dispense, and administer prescription medications (excluding opioids) consistent with their scope of practice and (2) a naturopathic formulary of prescription medications (excluding opioids) that naturopaths who meet these requirements

may use consistent with their practice and training.

At least triennially, DPH must consult the State Board of Naturopathic Examiners and update the prescription medication formulary.

EFFECTIVE DATE: October 1, 2019

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 14 Nay 11 (03/29/2019)