



Georgia Occupational Regulation
Review Council

House Bill 636
Genetic Counselors
LC 33 7079

A Review of the Proposed Legislation

July 2017

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Executive Summary

As provided in O.C.G.A. §43-1A, the Georgia Occupational Regulation Review Council reviews all bills proposing licensure of a profession or business referred to it by the chairperson of the legislative committee of reference. Accordingly, the council, at the request of the chairperson of the House Health and Human Services Committee, has reviewed House Bill 636 (LC 33 7079), which proposes to license genetic counselors under the Georgia Composite Medical Board.

During the course of this review, council staff obtained information from the Georgia Association of Genetic Counselors (GAGC) while also performing internal research.

O.C.G.A. §43-1A-6 requires the council to consider certain criteria when determining the need for the regulation of a business or profession. For this review, the council used these criteria to guide the development of findings related to the licensure of genetic counselors. The council, with assistance from staff, developed the following findings during the course of this review:

- ❖ Testimony given by GAGC raised the possibility that the health, safety, and welfare of Georgia citizens could be at risk due to a possible lack of education, training, and title protection. Documented cases were presented to showcase these risks. The proposed legislation offers requirements to mitigate these dangers.
- ❖ Certified genetic counselors undergo rigorous education and training programs to provide the best possible care. Because these programs contain specialized content, it is likely that medical professionals who have not specialized in genetics are ill equipped to advise patients.
- ❖ While a national certification exists for genetic counselors, it has not proven reliable as a mean of protection.
- ❖ The cost effectiveness and economic impact is difficult to determine without a fiscal note, but it is thought to be more cost effective for the patient due to avoiding unnecessary tests or procedures.

Based on the information developed and reviewed by the council, the council recommends passage of House Bill 636, LC 33 7079, which proposes the licensure of genetic counselors.

Georgia Occupational Regulation Review Council Membership May-August 2017

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Introduction

House Bill 636 proposes the licensure of genetic counselors in Georgia through regulation by the Georgia Composite Medical Board. This report focuses on providing information concerning the nature of the legislation; it does not present any evaluation or assessment of the need for genetic counselors to be regulated in the state of Georgia.

In conducting this review, the Georgia Occupational Regulation Review Council, referred to as Council for the remainder of this report, solicited input from any interested party that wished to submit information or participate in the process. The applicant group, the Georgia Association of Genetic Counselors (GAGC), submitted a questionnaire providing background information that would support the licensing of genetic counselors.

In addition, the council reached out to a number of other potentially interested groups, including:

- ❖ National Society of Genetic Counselors

- ❖ American Board of Genetic Counseling, Inc.
- ❖ American Board of Medical Genetics and Genomics
- ❖ Accreditation Council for Genetic Counseling

Council staff also performed additional analysis comparing genetic counselor licensing regulations in other states to the proposed regulations in Georgia.

The council provided representatives from interested parties with the opportunity to present information during council meetings, either by verbal presentation and/or through written material. The council posted meeting dates, times and locations to the Office of Planning and Budget website (<https://opb.georgia.gov/georgia-occupational-regulation-review-council>).

Description of Proposed Legislation

House Bill 636 amends Chapter 34 of Title 43 of the Official Code of Georgia Annotated in order to provide for the licensure of genetic counselors. The bill provides the following:

- ❖ Authorizes the Georgia Composite Medical Board to issue, suspend, deny, and renew licenses genetic counselors;
- ❖ Defines genetic counselors for the purposes of the bill;
- ❖ Determines the requirements for licensure, which include completing an application to the board, obtaining a master's or doctoral degree relating to genetic counseling or medical genetics, maintaining a certification from ABGC, and paying a licensing fee;
- ❖ Provides guidance for a temporary license for those meeting all the requirements other than examination;
- ❖ Sets the license's effective duration for two years;
- ❖ Provides details on renewing the license including continuing education requirements; and
- ❖ Specifies that the licensing requirement does not apply to certain groups, including any person licensed by the state in which genetic counseling is consistent with the scope of their practice, any person employed as a genetic counselor by the federal government or an agency, and a student or intern enrolled in a genetic counseling educational program while under the instruction of a licensed genetic counselor.

A summary of the bill can be found in Appendix A. A complete copy of the bill is located in Appendix B.

Current Practices

Definition of a Genetic Counselor

In House Bill 636, genetic counseling is defined as:

- ❖ The provision of services by a genetic counselor to:
 - ❖ Obtain and evaluate individual, family, and medical histories to determine genetic risk for genetic or medical conditions and diseases in a patient, his or her offspring, and other family members;
 - ❖ Discuss the features, natural history, means of diagnosis, genetic and environmental factors, and management of risk for genetic or medical conditions and diseases;
 - ❖ Identify, order, and coordinate genetic laboratory tests and other diagnostic studies as appropriate for the genetic assessment consistent with practice based competencies provided by the ACGC;
 - ❖ Integrate genetic laboratory test results and other diagnostic studies with personal and family medical history to assess and communicate risk factors for genetic or medical conditions and diseases;
 - ❖ Explain the clinical implications of genetic laboratory tests and other diagnostic studies and their results;
 - ❖ Evaluate the client's or family's responses to the condition or risk of recurrence and provide client-centered counseling and anticipatory guidance;
 - ❖ Identify and utilize community resources that provide medical, educational, financial, and psychosocial support and advocacy; or
 - ❖ Provide written documentation of medical, genetic, and counseling information for families and health care professionals.

Genetic counselors practice in a variety of locations such as university medical centers, public and private hospitals, diagnostic laboratories, private practices, HMOs, and other settings. Health providers can refer patients to a genetic counselor or a patient can seek them. Once the patient has been referred, the genetic counselor will sit down with the patient to discuss the impacts the tests may have. Genetic tests can have an effect on the patient's life as well as health insurance. After the patients have been consulted, the genetic counselor will order the specific tests needed based off patient history and their reason for visiting. When the test results are ready, the genetic counselor can expertly interpret them for the patient and provide possible options for treatment. At that point, the patient can return to consult the original physician on which options to pursue.

The Issue and Potential for Harm

The applicant group presented specific examples where harm was experienced by Georgia's population.

Physical impact

GAGC provided multiple anecdotes to showcase the potential harm of unlicensed genetic counselors. These anecdotes can be separated into five categories:

1. Incomplete risk assessment can occur when incomplete tests are ordered or interpreted based on a complete family history. This may result in patients being misdiagnosed or falsely told they are not at risk for a condition.
2. Inaccurate test interpretation can also be a result of the wrong tests being ordered. In recent history, the price of genetic testing has drastically decreased from \$100 million per genome (2001) to just over \$1,000 per genome (2015). Without the subject matter expertise, it is possible to order testing for all available genomes, resulting in unnecessary testing and misuse of healthcare dollars. Once the test results are available, if incorrectly interpreted, a patient's risk could not be appropriately assigned.
3. Psychological/psychosocial and financial issues are commonly associated with genetic testing. Students enrolled in accredited genetic training programs are taught how to deal with these issues.
4. Inadequate training in specialized genetics is a danger when ordering genetic tests. There are guidelines in place such as suggested ages for testing, as well as pre-testing counseling and evaluations. Those not certified genetic counselors may be unfamiliar with these guidelines.
5. Title misuse can result in patient harm and a misrepresentation of skills and training. By protecting the title under licensure, patients can be assured that the counselor they are seeing is a trained genetic counselor.

Financial Impact

No fiscal note has been prepared for HB 636. Fees and costs for licensing can be determined during the rulemaking process.

Present Requirements and Voluntary Efforts

Present Requirements

Currently, genetic counselors can be certified by the Accreditation Council for Genetic Counseling (ACGC). This council determines the standards for graduate programs in genetic counseling as well as Practice-Based Competencies (PBCs) for entry level counselors. Graduate programs must be 21 months or 2 academic years in length and include current and evolving principles to best prepare students for clinical application. The standards, at a minimum, must include the following content areas:

- ❖ Principles of Human Genetics
- ❖ Applicability of Related Sciences to Medical Genetics
- ❖ Principles and Practice of Clinical/Medical Genetics
- ❖ Psychosocial Content
- ❖ Social, Ethical, and Legal issues in Genetics
- ❖ Health Care Delivery Systems and Principles of Public Health
- ❖ Education
- ❖ Research methods
- ❖ Professional Development/Self-Care

Students are also required to undergo clinical training and fieldwork in addition to academic studies. At a minimum, 50 supervised core cases dealing with a wide variety of genetic issues are required to further develop skills. Once students have graduated from an accredited training program, they can apply for Active Candidate Status (ACS) to take the national certification examination given by ACGC. Upon passing examination and meeting all criteria, the student can then become a certified genetic counselor.

While this is the current practice in Georgia for entering the workforce, this certification process will be a requirement for licensure under HB 636. GAGC estimates 77 genetic counselors in Georgia eligible for licensure with the majority being located in the metro area.

Board

The Georgia Composite Medical Board is listed as the regulatory body in HB 636. The bill would require additional time and resources from the board. For example, time and resources would be used to ensure those applying for licensure are certified under the NSGC. The bill does not propose a suggestion for the amount of fees that would be required. Disciplinary action would be determined by the board, where appropriate.

Genetic Counselors in Other States

The council staff found 24 other states that regulate genetic counselors. Of the 24 states identified by council staff, seven states are regulated by genetic counseling boards and all others are regulated by their respective medical examiner or public health board.

The length of the license and the initial licensing fee can vary from state to state. For example, the duration of validity can last from one year to three years, though nearly all states had licenses that must be renewed within two years or less. The fee ranges from \$100 to \$400 in California, though most fees are around \$200.

The degree of requirements are consistent among states. The applicant group noted that Kentucky has similar standards to Georgia. All states require a master's or doctoral degree by an accredited program, as well as completing the test administered by the ABGC. Ten states include a reciprocity clause in their state code. 21 states include continuing education standards, with the average being 30-50 continuing education hours or three to five continuing education units.

Common groups that were excluded from a genetic counselor licensure by multiple states include the following:

- ❖ Someone already licensed to practice medicine in the state acting within the scope of their profession;
- ❖ A registered nurse acting within the scope of their profession;
- ❖ A student candidate for a degree in genetic counseling;
- ❖ A commissioned physician or surgeon serving in the armed forces or a federal agency;
- ❖ A medical geneticist with a Ph.D.; or
- ❖ A consultant from another state who is board-certified.

Findings

Pursuant to O.C.G.A. § 43-1A-6, the Georgia Occupational Regulation Review Council must review bills under their consideration according to the following criteria:

- ❖ Whether the unregulated practice of the occupation may harm or endanger the health, safety, and welfare of citizens of this state and whether the potential for harm is recognizable and not remote;
- ❖ Whether the practice of the occupation requires specialized skill or training and whether the public needs and will benefit by assurances of initial and continuing occupational ability;
- ❖ Whether the citizens of this state are or may be effectively protected by other means;
- ❖ Whether the overall cost effectiveness and economic impact would be positive for citizens of this state; and
- ❖ Whether there are means other than state regulation to protect the interests of the state.

Based on this set of criteria, the council has reviewed House Bill 636, as it was introduced, which recommends the licensure of genetic counselors. In doing so, the council developed the following findings:

If left unregulated, there is a potential for harm to Georgia citizens. The proposed regulation provides a solution to mitigate this harm.

Through the testimony given by the representatives of GAGC, multiple cases of harm were presented. Most of these cases were a result of a lack of knowledge surrounding genetic counselors and their expertise. By creating a licensed profession, those unlicensed would not be able to present themselves as genetic counselors while simultaneously bringing awareness to the correct professionals.

Specialized skills and training are paramount in ensuring the necessary care is provided.

As heard through the testimony, genetic counselors receive specialized education and training to ensure patients are receiving the best care possible. The extensive topics of education and training are not present to most other medical professions. The proposed regulation has education requirements that ensure licensed genetic counselors have the background necessary. In addition to education, licensed genetic counselors are required to go through training to be certified. Due to the profession continuing rapidly change, continuing education is required to stay current on the newest developments in the profession. Licensing ensures that those practicing genetic counseling receive the necessary training.

Most citizens of this state that would be affected by this bill have other means of protection, though the effectiveness of that protection is unclear.

The existing national certification is a crucial element of the proposed bill. This certification provides the core requirement to be a licensed genetic counselor. It could be argued that if this certification is currently in effect, there is no need for licensure. However, as the testimony has proved, the certification does not prevent those who are unqualified from practicing. It may seem that certification could act as another mean of protection, but it does not seem to be working effectively.

The exact cost effectiveness and financial impact of the bill is hard to determine without a fiscal note, however, there would be a positive economic and financial impact for citizens seeking this service.

Without the proper knowledge of genetics, it is possible to recommend testing on more genes than necessary. These unnecessary tests cost both the patient and insurance companies. Additionally, citizens who have received an incorrect diagnosis through improper genetic testing could face larger health costs from deferred treatment or unnecessary treatment. It is presumed that the licensing fees would be set to cover the administrative costs for the Georgia Composite Medical Board.

As previously mentioned, the national certification by the ACGC is the only other means of protection, but has proven unreliable.

Recommendation

Nothing in this document prior to this section, including background information and findings, constitutes a recommendation for bill modification or otherwise. It also does not preclude others from using the information for that purpose. The following is the council's only official recommendation:

The council finds that House Bill 636 as introduced (LC 33 7079), which proposes licensure of genetic counselors, meets the statutory criteria to newly regulate a profession or business.

The council voted and approved this recommendation unanimously on August 10, 2017.

Appendix A: Summary of Proposed Legislation

Summary of HB 636

- The purpose of the bill is to require the licensure of genetic counselors
- The licensure would take effect on January 1, 2018
- The Georgia Composite Medical Board will regulate the licensure
- Licensure will require the applicant
 - To be at least of 21 years of age
 - To not have engaged in activities resulting in discipline under the article
 - To have complete a certified master's degree in genetic counseling or a certified doctoral degree from a medical genetics training program
 - To have completed an examination approved by the board
 - To pay a fee set by the board
 - To meet the requirements for certification set forth by the ABGC or ABMG
- A temporary license may be issued if a candidate meets all requirements except examination
- No less than 30 hours of continuing education biennially will be required in order to renew a license
- Those who practice genetic counseling as part of their profession, genetic counselors employed by the federal government, or genetic counseling students or interns are not subject to the licensure

Appendix B: Complete Text of House Bill 636 (LC 33 7079)

House Bill 636

By: Representatives Cooper of the 43rd, Silcox of the 52nd, Drenner of the 85th, Newton of the 123rd, and Hatchett of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to
2 physicians, assistants, and others, so as to provide for the licensure of genetic counselors; to
3 provide for continuing education requirements; to provide a short title; to provide for
4 definitions; to provide for licensure requirements; to provide for renewal requirements; to
5 provide for the duties and powers of the Georgia Composite Medical Board with respect to
6 genetic counselors; to provide for applicability; to provide for related matters; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9

SECTION 1.

10 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,
11 assistants, and others, is amended by revising subsection (a) of Code Section 43-34-11,
12 relating to continuing education requirements for physicians, acupuncture, physician
13 assistants, cancer and glaucoma treatment, respiratory care, clinical perfusionists, and
14 orthotics and prosthetics practice, as follows:

15 "(a)(1) The board shall be authorized to require persons seeking renewal of a license,
16 certificate, or permit under this chapter to complete board approved continuing education
17 of not less than 40 hours biennially. The board shall be authorized to approve courses
18 offered by institutions of higher learning, specialty societies, or professional
19 organizations, including, but not limited to, the American Medical Association, the
20 National Medical Association, and the American Osteopathic Association, the number
21 of hours required, and the category in which these hours should be earned. This
22 paragraph shall not apply to respiratory care professionals, persons seeking renewal of
23 certification as respiratory care professionals, clinical perfusionists, persons seeking
24 renewal of licensure as a clinical perfusionist, licensed orthotists or prosthetists, or
25 persons seeking renewal of licensure as an orthotist or prosthetist, genetic counselors, or
26 persons seeking renewal of licensure as a genetic counselor.

27 (2) The board shall be authorized to require persons seeking renewal of certification as
28 respiratory care professionals under Article 6 of this chapter to complete board approved
29 continuing education. The board shall be authorized to establish the number of hours of
30 continuing education required biennially for renewal of certification as a respiratory care
31 professional and the categories in which these hours should be earned. The board shall
32 be authorized to approve courses offered by institutions of higher learning, specialty
33 societies, or professional organizations. Any action taken by the board pursuant to this
34 paragraph shall be taken in conformity with the provisions of Code Section 43-34-143.

35 (3) The board shall be authorized to require persons seeking renewal of licensure as
36 clinical perfusionists under Article 7 of this chapter to complete board approved
37 continuing education. The board shall be authorized to establish the number of hours of
38 continuing education required biennially for renewal of licensure as a clinical perfusionist
39 and the categories in which these hours should be earned. The board shall be authorized
40 to approve courses offered by institutions of higher learning, specialty societies, or
41 professional organizations. Any action taken by the board pursuant to this paragraph
42 shall be taken in conformity with the provisions of Code Section 43-34-172.

43 (4) The board shall be authorized to require persons seeking renewal of licensure to
44 practice orthotics or prosthetics under Article 8 of this chapter to complete board
45 approved continuing education. The board shall be authorized to establish the number
46 of hours of continuing education required biennially for renewal of licensure to practice
47 orthotics or prosthetics and the categories in which these hours should be earned,
48 however, the maximum number of hours of continuing education required for renewal
49 of licensure shall not exceed 40 hours. The board shall be authorized to approve courses
50 offered by institutions of higher learning, specialty societies, or professional
51 organizations. Any action taken by the board pursuant to this paragraph shall be taken
52 in conformity with the provisions of subsection (a) of Code Section 43-34-200.

53 (5) The board shall be authorized to require persons seeking renewal of licensure to
54 practice genetic counseling under Article 11 of this chapter to complete board approved
55 continuing education. The board shall be authorized to establish the number of hours of
56 continuing education required biennially for renewal of licensure to practice genetic
57 counseling and the categories in which these hours should be earned, however, the
58 number of hours of continuing education required for renewal of licensure shall not be
59 less than 30 hours biennially. The board shall be authorized to approve courses offered
60 by institutions of higher learning, specialty societies, or professional organizations. Any
61 action taken by the board pursuant to this paragraph shall be taken in conformity with the
62 provisions of subsection (b) of Code Section 43-34-303."

63

SECTION 2.

64 Said chapter is further amended by adding a new article to read as follows:

65

"ARTICLE 1166 43-34-300.67 This article shall be known and may be cited as the 'Genetic Counselors Act.'68 43-34-301.69 As used in this article, the term:70 (1) 'ABGC' means the American Board of Genetic Counseling or its successor or
71 equivalent.72 (2) 'ABMG' means the American Board of Medical Genetics and Genomics or its
73 successor or equivalent.74 (3) 'ACGC' means the Accreditation Council for Genetic Counseling or its successor or
75 equivalent.76 (4) 'Board' means the Georgia Composite Medical Board.77 (5) 'Examination for licensure' means the ABGC or ABMG certification examination or
78 the examination provided by a successor entity to the ABGC or ABMG to fairly test the
79 competence and qualifications of applicants to practice genetic counseling.80 (6) 'Genetic counseling' means the provision of services by a genetic counselor to:81 (A) Obtain and evaluate individual, family, and medical histories to determine genetic
82 risk for genetic or medical conditions and diseases in a patient, his or her offspring, and
83 other family members;84 (B) Discuss the features, natural history, means of diagnosis, genetic and
85 environmental factors, and management of risk for genetic or medical conditions and
86 diseases;87 (C) Identify, order, and coordinate genetic laboratory tests and other diagnostic studies
88 as appropriate for the genetic assessment consistent with practice based competencies
89 provided by the ACGC;90 (D) Integrate genetic laboratory test results and other diagnostic studies with personal
91 and family medical history to assess and communicate risk factors for genetic or
92 medical conditions and diseases;93 (E) Explain the clinical implications of genetic laboratory tests and other diagnostic
94 studies and their results;95 (F) Evaluate the client's or family's responses to the condition or risk of recurrence and
96 provide client-centered counseling and anticipatory guidance;

- 97 (G) Identify and utilize community resources that provide medical, educational,
98 financial, and psychosocial support and advocacy; or
99 (H) Provide written documentation of medical, genetic, and counseling information for
100 families and health care professionals.
- 101 (7) 'Genetic counseling intern' means a student enrolled in a genetic counseling program
102 accredited by the ACGC or ABMG.
- 103 (8) 'Genetic counselor' means an individual licensed by the board pursuant to this article
104 to engage in the competent practice of genetic counseling.
- 105 (9) 'Genetic testing' and 'genetic test' mean a test or analysis of human genes, gene
106 products, DNA, RNA, chromosomes, proteins, or metabolites that detects genotypes,
107 mutations, chromosomal changes, abnormalities, or deficiencies, including carrier status,
108 that (A) are linked to physical or mental disorders or impairments, (B) indicate a
109 susceptibility to illness, disease, impairment, or other disorders, whether physical or
110 mental, or (C) demonstrate genetic or chromosomal damage due to environmental factors.
111 The terms 'genetic testing' and 'genetic test' do not include routine physical
112 measurements; chemical, blood, and urine analyses that are widely accepted and in use
113 in clinical practice; tests for use of drugs; tests for the presence of the human
114 immunodeficiency virus; analyses of proteins or metabolites that do not detect genotypes,
115 mutations, chromosomal changes, abnormalities, or deficiencies; or analyses of proteins
116 or metabolites that are directly related to a manifested disease, disorder, or pathological
117 condition that could reasonably be detected by a health care professional with appropriate
118 training and expertise in the field of medicine involved.
- 119 (10) 'NSGC' means the National Society of Genetic Counselors or its successor or
120 equivalent.
- 121 (11) 'Qualified supervisor' means any person licensed as a genetic counselor under this
122 article or any licensed physician.
- 123 (12) 'Supervision' means the overall responsibility of a qualified supervisor to assess the
124 work of the genetic counselor with a temporary license, including regular meetings and
125 chart review, if an annual supervision contract signed by the supervisor and the
126 temporarily licensed genetic counselor is on file with both parties. The supervisor's
127 presence shall not be required during the performance of the service.
- 128 43-34-302.
- 129 (a) A person shall be qualified for licensure as a genetic counselor and the board may issue
130 a license if that person:
- 131 (1) Has applied in writing in form and substance satisfactory to the board and is at least
132 21 years of age;

- 133 (2) Has not engaged in conduct or activities which would constitute grounds for
134 discipline under this article;
- 135 (3) Has successfully completed:
- 136 (A) A master's degree in genetic counseling from an ABGC or ABMG accredited
137 training program or an equivalent program approved by the ABGC or the ABMG; or
138 (B) A doctoral degree and an ABMG accredited medical genetics training program or
139 an equivalent program approved by the ABMG;
- 140 (4) Has successfully completed examination for licensure, approved by the board;
- 141 (5) Has paid the fees required by rule;
- 142 (6) Has met the requirements for certification set forth by the ABGC or its successor or
143 the ABMG or its successor, if required by the board pursuant to rule; and
- 144 (7) Has met any other requirements established by rule.
- 145 (b) A temporary license may be issued to an individual who has made application to the
146 board, has submitted evidence to the board of admission to examination for licensure, has
147 met all of the requirements for licensure in accordance with this Code section, except for
148 the examination requirement, and has met any other condition established by rule. The
149 holder of a temporary license shall practice only under the supervision of a qualified
150 supervisor and may not have the authority to order genetic tests. Nothing in this subsection
151 shall prohibit an applicant from reapplying for a temporary license if he or she meets the
152 qualifications of this subsection.
- 153 43-34-303.
- 154 (a) Licenses issued by the board pursuant to this article shall be subject to renewal and
155 shall be valid for up to two years unless otherwise specified by this article and shall be
156 renewable biennially on the renewal date established by the board.
- 157 (b) The board shall be authorized to, in conformance with paragraph (5) of subsection (a)
158 of Code Section 43-34-11:
- 159 (1) Require persons seeking renewal of licensure under this article to complete board
160 approved continuing education; and
- 161 (2) Establish the number of hours of continuing education to be completed as well as the
162 categories in which the continuing education is to be completed.
- 163 (c) A person who has permitted his or her license to expire or who has had his or her
164 license on inactive status may have his or her license restored by:
- 165 (1) Making application to the board;
- 166 (2) Filing proof acceptable to the board of his or her fitness to have his or her license
167 restored, including, but not limited to, sworn evidence certifying to active practice in
168 another jurisdiction satisfactory to the board; and

- 169 (3) Paying the required restoration fee.
170 If the person has not maintained an active practice in another jurisdiction satisfactory to the
171 board, the board shall determine, by an evaluation program established by rule, such
172 person's fitness to resume active status and may require the person to complete a period of
173 evaluated clinical experience and successful completion of an examination.
174 (d) A person who notifies the board on forms prescribed thereby may elect to place his or
175 her license on an inactive status and shall, subject to rules of the board, be excused from
176 payment of renewal fees until he or she notifies the board of his or her desire to resume
177 active status. A person requesting restoration from inactive status shall be required to pay
178 the current renewal fee and shall be required to restore his or her license as provided in
179 subsection (c) of this Code section. A genetic counselor whose license is on inactive status
180 shall not practice genetic counseling in this state.
181 (e) A person whose license expired while he or she was:
182 (1) In federal service on active duty within the armed forces of the United States or with
183 the state militia and called into service or training; or
184 (2) In training or education under the supervision of the United States preliminary to
185 induction into military service
186 may have his or her license renewed or restored without paying a lapsed renewal fee if,
187 within two years after termination from the service, training, or education except under
188 conditions other than honorable, he or she furnishes the board with satisfactory evidence
189 that he or she has been so engaged and that his or her service, training, or education has
190 been terminated.
- 191 43-34-304.
192 (a) On and after January 1, 2018, a person shall not engage in the practice of genetic
193 counseling in this state without a valid license issued by the board pursuant to this article.
194 (b) A person shall not hold himself or herself out as a genetic counselor unless he or she
195 holds a license issued by the board in accordance with this article. A person not licensed
196 by the board pursuant to this article shall not use in connection with his or her name or
197 place of business the terms 'genetic counselor,' 'licensed genetic counselor,' 'gene
198 counselor,' 'genetic consultant,' 'genetic associate,' or any words, letters, abbreviations, or
199 insignia indicating or implying the person holds a genetic counseling license.
- 200 43-34-305.
201 The board shall have the power and responsibility to:
202 (1) Determine the qualifications and fitness of applicants for licensure and renewal of
203 licensure;

- 204 (2) Adopt and revise rules consistent with the laws of the State of Georgia that are
205 necessary to conduct its business, carry out its duties, and administer this article;
206 (3) Examine for, approve, issue, deny, revoke, suspend, sanction, and renew the licenses
207 of applicants and genetic counselors under this article and conduct hearings in connection
208 with these actions;
209 (4) Conduct hearings on complaints concerning violations of this article and the rules
210 adopted under this article and cause the prosecution and enjoinder of the violations;
211 (5) Establish application, examination, and certification fees; and
212 (6) Establish continuing education requirements.

213 43-34-306.

214 The provisions of this article shall not apply to:

- 215 (1) Any person licensed by the state to practice in a profession other than that of a
216 genetic counselor, such as a physician, when acting within the scope of the person's
217 profession and doing work of a nature consistent with the person's training; provided,
218 however, that such person shall not hold himself or herself out to the public as a genetic
219 counselor;
220 (2) Any person employed as a genetic counselor by the federal government or an agency
221 thereof if the person provides genetic counseling services solely under the direction and
222 control of the organization by which he or she is employed; or
223 (3) A student or intern enrolled in an ACGC accredited genetic counseling educational
224 program if genetic counseling services performed by the student are an integral part of
225 the student's course of study and are performed under the direct instruction of a licensed
226 genetic counselor or physician assigned to the student and who is on duty and available
227 in the assigned patient care area and if the person is designated with the title of 'genetic
228 counseling intern.'

229 **SECTION 3.**

230 All laws and parts of laws in conflict with this Act are repealed.