

# SENATE BILL No. 1099

February 3, 2010, Introduced by Senator JACOBS and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 16340 and part 186.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        **SEC. 16340. FEES FOR A PERSON LICENSED OR SEEKING LICENSURE**  
2 **TO ENGAGE IN THE PRACTICE OF GENETIC COUNSELING UNDER PART 186**  
3 **ARE AS FOLLOWS:**

- |   |  |          |
|---|--|----------|
| 4 | (A) APPLICATION PROCESSING FEE.....      | \$ 40.00 |
| 5 | (B) LICENSE FEE, PER YEAR.....           | 150.00   |
| 6 | (C) TEMPORARY LICENSE FEE, PER YEAR..... | 50.00    |

7                                    **PART 186. GENETIC COUNSELING**

1 SEC. 18601. (1) AS USED IN THIS PART:

2 (A) "BOARD" MEANS THE MICHIGAN BOARD OF GENETIC COUNSELING  
3 CREATED IN SECTION 18603.

4 (B) "GENETIC COUNSELOR" MEANS AN INDIVIDUAL LICENSED UNDER  
5 THIS PART TO ENGAGE IN THE PRACTICE OF GENETIC COUNSELING.

6 (C) "PRACTICE OF GENETIC COUNSELING" MEANS THE PROVIDING OF  
7 ANY OF THE FOLLOWING SERVICES:

8 (i) OBTAINING AND INTERPRETING INDIVIDUAL, FAMILY, MEDICAL,  
9 DEVELOPMENTAL, AND REPRODUCTIVE HISTORIES.

10 (ii) DETERMINING THE MODE OF INHERITANCE AND RISK OF  
11 TRANSMISSION OF GENETIC CONDITIONS AND BIRTH DEFECTS.

12 (iii) DISCUSSING THE INHERITANCE, FEATURES, NATURAL HISTORY,  
13 MEANS OF DIAGNOSIS, AND MANAGEMENT OF THE CONDITIONS DESCRIBED IN  
14 SUBPARAGRAPH (ii) .

15 (iv) IDENTIFYING, COORDINATING, INTERPRETING, AND EXPLAINING  
16 GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES.

17 (v) ASSESSING PSYCHOSOCIAL FACTORS AND RECOGNIZING SOCIAL,  
18 EDUCATIONAL, AND CULTURAL ISSUES.

19 (vi) EVALUATING THE INDIVIDUAL'S OR FAMILY'S RESPONSES TO THE  
20 CONDITION OR RISK OF RECURRENCE AND PROVIDING CLIENT-CENTERED  
21 COUNSELING AND ANTICIPATORY GUIDANCE.

22 (vii) COMMUNICATING INFORMATION TO THE INDIVIDUALS IN AN  
23 UNDERSTANDABLE MANNER.

24 (viii) FACILITATING INFORMED DECISION MAKING.

25 (ix) IDENTIFYING AND EFFECTIVELY UTILIZING COMMUNITY  
26 RESOURCES THAT PROVIDE MEDICAL, EDUCATIONAL, FINANCIAL, AND  
27 PSYCHOSOCIAL SUPPORT AND ADVOCACY.

1           (x) PROVIDING ACCURATE WRITTEN DOCUMENTATION OF MEDICAL,  
2 GENETIC, AND COUNSELING INFORMATION FOR FAMILIES AND HEALTH CARE  
3 PROFESSIONALS.

4           (D) "QUALIFIED SUPERVISOR" MEANS AN INDIVIDUAL WHO IS A  
5 GENETIC COUNSELOR OR A PHYSICIAN.

6           (E) "TEMPORARY LICENSED GENETIC COUNSELOR" MEANS A GENETIC  
7 COUNSELOR WHO HAS BEEN ISSUED A TEMPORARY LICENSE UNDER THIS  
8 PART.

9           (2) IN ADDITION TO THE DEFINITIONS IN THIS SECTION, ARTICLE  
10 1 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION  
11 APPLICABLE TO ALL ARTICLES IN THIS ACT AND PART 161 CONTAINS  
12 DEFINITIONS APPLICABLE TO THIS PART.

13           SEC. 18603. (1) THE MICHIGAN BOARD OF GENETIC COUNSELING IS  
14 CREATED IN THE DEPARTMENT. THE DEPARTMENT, IN CONSULTATION WITH  
15 THE BOARD, SHALL PROMULGATE RULES THAT SPECIFY THE MINIMUM  
16 STANDARDS FOR LICENSURE, TEMPORARY LICENSURE, AND LICENSE  
17 RENEWAL. THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, MAY  
18 ADOPT BY REFERENCE THE PROFESSIONAL STANDARDS AND CONTINUOUS  
19 PROFESSIONAL EDUCATION STANDARDS ISSUED BY A NATIONALLY  
20 RECOGNIZED CERTIFYING AGENCY FOR GENETIC COUNSELORS.

21           (2) THE BOARD SHALL CONSIST OF 5 GENETIC COUNSELORS, 1  
22 PHYSICIAN WHO IS BOARD CERTIFIED IN GENETICS BY A NATIONALLY  
23 RECOGNIZED CERTIFYING AGENCY FOR PHYSICIANS, AND 3 MEMBERS OF THE  
24 GENERAL PUBLIC. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION,  
25 THE TERMS OF OFFICE OF INDIVIDUAL MEMBERS OF THE BOARD CREATED  
26 UNDER SUBSECTION (1) EXPIRE 4 YEARS AFTER APPOINTMENT ON DECEMBER  
27 31 OF THE YEAR IN WHICH THE TERM WILL EXPIRE. OF THE MEMBERS

1 FIRST APPOINTED TO THE BOARD UNDER SUBSECTION (1), 4 SHALL BE  
2 APPOINTED FOR TERMS OF 4 YEARS, 3 SHALL BE APPOINTED FOR TERMS OF  
3 3 YEARS, AND 2 SHALL BE APPOINTED FOR TERMS OF 2 YEARS. THE TERM  
4 OF OFFICE OF AN INDIVIDUAL APPOINTED TO FILL A VACANCY EXPIRES AT  
5 THE END OF THE TERM OF THE VACANCY BEING FILLED.

6 (3) IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS ARTICLE,  
7 THE BOARD SHALL PERFORM OTHER FUNCTIONS AND DUTIES AS NECESSARY  
8 TO CARRY OUT THIS PART.

9 SEC. 18605. TO BE LICENSED UNDER THIS PART, AN INDIVIDUAL  
10 SHALL DO ALL OF THE FOLLOWING:

11 (A) SUBMIT AN APPLICATION PRESCRIBED BY THE BOARD.

12 (B) PAY THE FEE PRESCRIBED IN SECTION 16340.

13 (C) PROVIDE SATISFACTORY EVIDENCE OF HAVING CURRENT  
14 CERTIFICATION THROUGH A NATIONALLY RECOGNIZED CERTIFYING AGENCY  
15 FOR GENETIC COUNSELORS OR MEDICAL GENETICISTS APPROVED BY THE  
16 BOARD.

17 SEC. 18607. BEGINNING JANUARY 1, 2012, AN INDIVIDUAL SHALL  
18 NOT ENGAGE IN THE PRACTICE OF GENETIC COUNSELING UNLESS HE OR SHE  
19 IS LICENSED UNDER THIS PART.

20 SEC. 18609. A TEMPORARY LICENSED GENETIC COUNSELOR SHALL  
21 WORK UNDER THE SUPERVISION OF A QUALIFIED SUPERVISOR AT ALL TIMES  
22 DURING WHICH THE TEMPORARY LICENSED GENETIC COUNSELOR ENGAGES IN  
23 THE PRACTICE OF GENETIC COUNSELING.

24 SEC. 18611. AN INDIVIDUAL WHO IS NOT LICENSED UNDER THIS  
25 PART SHALL NOT USE IN CONNECTION WITH HIS OR HER NAME OR PLACE OF  
26 BUSINESS, THE TITLE "GENETIC COUNSELOR", "LICENSED GENETIC  
27 COUNSELOR", "GENE COUNSELOR", "GENETIC CONSULTANT", "GENETIC

1 ASSOCIATE" OR ANY WORDS, LETTERS, ABBREVIATIONS, OR INSIGNIA  
2 INDICATING OR IMPLYING A PERSON HOLDS A LICENSE TO ENGAGE IN THE  
3 PRACTICE OF GENETIC COUNSELING UNDER THIS PART.

4 SEC. 18613. NOTWITHSTANDING SECTION 18611, THIS PART DOES  
5 NOT APPLY TO AN INDIVIDUAL LICENSED BY THIS STATE TO PRACTICE IN  
6 A HEALTH PROFESSION OTHER THAN THE PRACTICE OF GENETIC COUNSELING  
7 WHEN ACTING WITHIN THE SCOPE OF THE INDIVIDUAL'S HEALTH  
8 PROFESSION AND DOING WORK OF A NATURE CONSISTENT WITH THE  
9 PERSON'S TRAINING.

10 SEC. 18615. TO OBTAIN A LICENSE RENEWAL UNDER THIS PART, A  
11 LICENSEE SHALL PRESENT SATISFACTORY EVIDENCE TO THE BOARD THAT IN  
12 THE PERIOD SINCE THE LICENSE WAS ISSUED OR LAST RENEWED THE  
13 LICENSEE HAS MAINTAINED CERTIFICATION THROUGH A NATIONALLY  
14 RECOGNIZED CERTIFYING AGENCY APPROVED BY THE BOARD.