

HOUSE BILL REPORT

HB 2015

As Reported by House Committee On:
Health Care & Wellness
Appropriations

Title: An act relating to genetic counselors.

Brief Description: Licensing genetic counselors.

Sponsors: Representatives Schual-Berke, McIntire, Cody, Morrell and Kenney.

Brief History:

Committee Activity:

Health Care & Wellness: 2/13/07, 2/15/07 [DPS];

Appropriations: 2/27/07, 3/1/07 [DPS(HCW)].

Brief Summary of Substitute Bill

- Establishes genetic counselors as a new health profession to be licensed by the Department of Health.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Cody, Chair; Morrell, Vice Chair; Barlow, Green, Moeller, Pedersen, Schual-Berke and Seaquist.

Minority Report: Do not pass. Signed by 3 members: Representatives Hinkle, Ranking Minority Member; Alexander, Assistant Ranking Minority Member and Condotta.

Staff: Chris Blake (786-7392).

Background:

Genetic tests are medical tests that identify changes in chromosomes, genes, or proteins. These tests include newborn screenings performed immediately after the birth of a child; diagnostic testing to identify or rule out a genetic condition as the cause of a patient's signs and symptoms; predictive testing which detects gene mutations that may lead to a medical condition at a later time; carrier testing for people with a family history of a genetic disorder;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

prenatal testing conducted during a pregnancy to determine the risk that an infant will have a genetic disorder; and preimplantation testing conducted in association with in-vitro fertilization.

Genetic consultations are a type of health service that provides information and support to individuals who have a genetic disorder or may be at risk for one. A genetic consultation may include a discussion of genetic risks or it may determine the presence or absence of a genetic condition. The consultation process occurs between a genetic professional and an individual or a family. Genetic professionals include physicians who specialize in genetics, genetic counselors, and nurses, psychologists, and other counselors who are trained in genetics and provide consultations.

In January 2006, the Department of Health (Department) issued a sunrise review that found that the licensing of genetic counselors did not meet the sunrise criteria. Specifically, the Department did not find any harm that would be changed by licensing genetic counselors and that private certification organizations offered adequate assurances of competency.

Summary of Substitute Bill:

Genetic counselors are created as a new profession to be regulated by the Secretary of Health (Secretary). To practice genetic counseling one must hold a license issued by the Secretary. "Genetic counseling" means a communication process that involves estimating the likelihood of the occurrence or recurrence of a birth defect or any potentially inherited or genetically influenced condition. In addition, genetic counseling includes helping people appreciate the medical and psychological implications of a disorder and facilitate decision-making regarding testing or medical interventions. Genetic counseling includes selecting methods of diagnosis and recommending or ordering genetic tests pursuant to a collaborative agreement with a physician or osteopathic physician who is board-certified in medical genetics or a specialty relevant to the practice of the genetic counselor.

An applicant for a license to practice genetic counseling must demonstrate that he or she has (1) graduated from a master's or doctorate program in genetic counseling or medical genetics, (2) completed any clinical experience requirements established by the Secretary, and (3) passed an examination approved by the Secretary. The Secretary may grant a license without examination to an applicant who holds a license in another state with substantially equivalent licensing standards or to an applicant who has practiced genetic counseling in Washington for five of the six years prior to July 1, 2008.

Exemptions from licensing requirements are established for health care providers who hold a credential that includes the functions of a genetic counselor; individuals enrolled in an educational program; individuals practicing under the supervision of a genetic counselor while gathering logbook cases to meet licensing requirements; and individuals employed by the federal government.

The Advisory Committee on Genetic Counseling (Committee) is established. The Secretary shall appoint the five members of the Committee which include three genetic counselors, one health care provider with genetic expertise, and one public member. The Committee is responsible for providing advice and recommendations to the Department involving developments in the practice of genetic counseling, the establishment of case disposition guidelines, the review of reports of unprofessional conduct, and the establishment of continuing competency programs.

Substitute Bill Compared to Original Bill:

The substitute bill specifies that collaborative agreements may only be with physicians who are board-certified in medical genetics or a speciality relevant to the practice of a genetic counselor. The exemption for individuals licensed in another state with infrequent contact in Washington is removed. The number of times that an individual may retake the examination is reduced from three to two.

Appropriation: None.

Fiscal Note: Requested on February 12, 2007.

Effective Date of Substitute Bill: The bill takes effect August 1, 2008.

Staff Summary of Public Testimony:

(In support) Genetic counseling is largely unknown to the public but has a great deal of importance in helping people determine the course of their future. This bill will help clarify the scope of genetic counselors as it pertains to different genetic professionals. Errors in communication of genetic information can adversely affect individuals' health and well-being and that of their family members. The public has a right to expect that their health professionals meet minimum standards. Licensure is how the public recognizes qualified individuals. Patients have the right to know that their genetic counselors must be held accountable for the quality of the services that they provide. Other health care providers rely upon the background and expertise of genetic counselors to conduct appropriate genetics testing. With the recent completion of the sequencing of the human genome, there will be a greater reliance upon personnel trained in how alterations in genes affect human health.

(Concerns) The 2006 Sunrise Review did not show a risk of harm. National certification standards provide significant assurance of training requirements.

(Opposed) None.

Persons Testifying: (In support) Representative Schual-Berke, prime sponsor; Nancy Hanson, Edith Cheng, Peter Byers, and Diane Phelps.

(Concerns) Laurie Jenkins, Department of Health.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Cody, Conway, Darneille, Ericks, Fromhold, Grant, Haigh, Hunt, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Morrell, Pettigrew, Schual-Berke, Seaquist, P. Sullivan and Walsh.

Minority Report: Do not pass. Signed by 11 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Dunn, Hinkle, Kretz, McDonald and Priest.

Staff: Bernard Dean (786-7130).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Health Care & Wellness:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect on August 1, 2008.

Staff Summary of Public Testimony:

(In support) We've been advocating licensure for genetic counseling because we are health professionals. This bill is cost-neutral as the expenses would be borne by the regulated group. Based on the fiscal note, the fees would be acceptable to genetic counselors in Washington state. We extend the role of the geneticist physician. Laboratory costs are better contained when professionals are trained and knowledgeable in genetic services. Genetic counseling is an emerging profession and licensure may well attract more counselors to the state.

(Opposed) None.

Persons Testifying: Nancy Hanson, Genetic Counselors.

Persons Signed In To Testify But Not Testifying: None.