

**SUBSTITUTE FOR
HOUSE BILL NO. 5783**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16301 (MCL 333.16301), as amended by 1993 PA
79, and by adding section 16332 and part 176A.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16301. (1) Fees for licenses and registrations issued and
2 other services performed by the department ~~shall be~~ **ARE** as
3 prescribed in this article.

4 (2) This article does not prohibit a person who has a contract
5 with the department or any other person providing direct services
6 from collecting fees directly from an applicant, registrant, or
7 licensee.

8 (3) If the department terminates a contract with a person ~~who~~

1 ~~has been~~ **THAT IS** administering a licensing or registration
2 examination to applicants for licensure or registration in a
3 specific profession and the department itself begins to administer
4 the examination, the department shall not charge an applicant a fee
5 greater than the fee charged under the terminated contract unless
6 the examination fee for that profession is increased under this
7 article.

8 (4) **THE DEPARTMENT SHALL CHARGE A \$20.00 LATE RENEWAL FEE IF A**
9 **PERSON FAILS TO RENEW A LICENSE OR REGISTRATION UNDER THIS ARTICLE**
10 **ON OR BEFORE THE EXPIRATION DATE OF THE PERSON'S CURRENT LICENSE OR**
11 **REGISTRATION.**

12 **SEC. 16332. FEES FOR AN INDIVIDUAL LICENSED OR SEEKING**
13 **LICENSURE TO ENGAGE IN THE PRACTICE OF GENETIC COUNSELING UNDER**
14 **PART 176A ARE AS FOLLOWS:**

- 15 (A) **APPLICATION PROCESSING FEE..... \$ 75.00**
- 16 (B) **LICENSE FEE, PER YEAR..... 95.00**
- 17 (C) **TEMPORARY LICENSE FEE, PER YEAR..... 50.00**

18 **PART 176A**

19 **GENETIC COUNSELING**

20 **SEC. 17641. (1) AS USED IN THIS PART:**

21 (A) **"GENETIC COUNSELOR" MEANS AN INDIVIDUAL WHO IS LICENSED**
22 **UNDER THIS PART TO ENGAGE IN THE PRACTICE OF GENETIC COUNSELING.**

23 (B) **"PRACTICE OF GENETIC COUNSELING" MEANS PROVISION OF ANY OF**
24 **THE FOLLOWING SERVICES:**

25 (i) **OBTAINING AND EVALUATING INDIVIDUAL, FAMILY, AND MEDICAL**
26 **HISTORIES TO DETERMINE THE GENETIC RISK FOR GENETIC OR MEDICAL**
27 **CONDITIONS OR DISEASES IN A CLIENT, THE CLIENT'S DESCENDANTS, OR**

1 OTHER FAMILY MEMBERS OF THE CLIENT.

2 (ii) DISCUSSING WITH A CLIENT THE FEATURES, NATURAL HISTORY,
3 MEANS OF DIAGNOSIS, GENETIC AND ENVIRONMENTAL FACTORS, AND
4 MANAGEMENT OF THE GENETIC RISKS OF GENETIC OR MEDICAL CONDITIONS OR
5 DISEASES.

6 (iii) IDENTIFYING AND COORDINATING APPROPRIATE GENETIC
7 LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES FOR GENETIC
8 ASSESSMENT OF A CLIENT.

9 (iv) INTEGRATING GENETIC LABORATORY TEST RESULTS AND OTHER
10 DIAGNOSTIC STUDIES WITH PERSONAL AND FAMILY MEDICAL HISTORY TO
11 ASSESS AND COMMUNICATE A CLIENT'S RISK FACTORS FOR GENETIC OR
12 MEDICAL CONDITIONS OR DISEASES.

13 (v) EXPLAINING TO A CLIENT THE CLINICAL IMPLICATIONS OF
14 GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES AND THEIR
15 RESULTS.

16 (vi) EVALUATING THE RESPONSES OF A CLIENT AND THE CLIENT'S
17 FAMILY TO A GENETIC OR MEDICAL CONDITION OR DISEASE OR TO THE RISK
18 OF RECURRENCE OF THAT CONDITION OR DISEASE AND PROVIDING CLIENT-
19 CENTERED COUNSELING AND ANTICIPATORY GUIDANCE.

20 (vii) IDENTIFYING AND UTILIZING COMMUNITY RESOURCES THAT
21 PROVIDE MEDICAL, EDUCATIONAL, FINANCIAL, AND PSYCHOSOCIAL SUPPORT
22 AND ADVOCACY TO A CLIENT.

23 (viii) PROVIDING WRITTEN DOCUMENTATION OF MEDICAL, GENETIC,
24 AND COUNSELING INFORMATION FOR FAMILIES OF AND HEALTH CARE
25 PROFESSIONALS OF A CLIENT.

26 (C) "QUALIFIED SUPERVISOR" MEANS AN INDIVIDUAL WHO IS A
27 GENETIC COUNSELOR AND WHO HOLDS A LICENSE UNDER THIS PART OTHER

1 THAN A TEMPORARY OR LIMITED LICENSE.

2 (2) IN ADDITION TO THE DEFINITIONS OF THIS PART, ARTICLE 1
3 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
4 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
5 DEFINITIONS APPLICABLE TO THIS PART.

6 SEC. 17643. (1) THE DEPARTMENT SHALL PROMULGATE RULES THAT
7 SPECIFY THE MINIMUM STANDARDS FOR LICENSURE, TEMPORARY LICENSURE,
8 AND LICENSE RENEWAL OF GENETIC COUNSELORS.

9 (2) IN ADDITION TO ANY OTHER REQUIREMENTS OF THIS ARTICLE, THE
10 DEPARTMENT SHALL PERFORM OTHER FUNCTIONS AND DUTIES AS NECESSARY TO
11 CARRY OUT THE REGULATION OF GENETIC COUNSELORS UNDER THIS PART.

12 SEC. 17644. (1) TO BE LICENSED AS A GENETIC COUNSELOR UNDER
13 THIS PART, AN INDIVIDUAL SHALL DO ALL OF THE FOLLOWING:

14 (A) SUBMIT AN APPLICATION PRESCRIBED BY THE DEPARTMENT.

15 (B) PAY THE FEES PRESCRIBED IN SECTION 16332.

16 (C) SUBJECT TO SUBSECTION (2), MEET THE STANDARDS FOR
17 LICENSURE ESTABLISHED BY RULE PROMULGATED UNDER SECTION 17643(1).

18 (2) UNTIL FINAL RULES ON MINIMUM STANDARDS FOR LICENSURE ARE
19 PROMULGATED UNDER SECTION 17643(1), THE DEPARTMENT SHALL CONSIDER
20 SATISFACTORY EVIDENCE OF CURRENT CERTIFICATION THROUGH A NATIONALLY
21 RECOGNIZED CERTIFYING AGENCY FOR GENETIC COUNSELORS AS MEETING THE
22 REQUIREMENTS OF SUBSECTION (1)(C).

23 SEC. 17645. BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THE
24 RULES PROMULGATED UNDER SECTION 17643, AN INDIVIDUAL SHALL NOT
25 ENGAGE IN THE PRACTICE OF GENETIC COUNSELING UNLESS HE OR SHE IS
26 LICENSED AS A GENETIC COUNSELOR UNDER THIS PART.

27 SEC. 17646. A TEMPORARY LICENSED GENETIC COUNSELOR SHALL WORK

1 UNDER THE SUPERVISION OF A QUALIFIED SUPERVISOR AT ALL TIMES DURING
2 WHICH THE TEMPORARY LICENSED GENETIC COUNSELOR ENGAGES IN THE
3 PRACTICE OF GENETIC COUNSELING.

4 SEC. 17647. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
5 (2), AN INDIVIDUAL WHO IS NOT LICENSED AS A GENETIC COUNSELOR UNDER
6 THIS PART SHALL NOT USE IN CONNECTION WITH HIS OR HER NAME OR PLACE
7 OF BUSINESS, THE TITLE "GENETIC COUNSELOR", "LICENSED GENETIC
8 COUNSELOR", "GENE COUNSELOR", "GENETIC CONSULTANT", "GENETIC
9 ASSOCIATE" OR ANY WORDS, LETTERS, ABBREVIATIONS, OR INSIGNIA
10 INDICATING OR IMPLYING THAT AN INDIVIDUAL HOLDS A LICENSE TO ENGAGE
11 IN THE PRACTICE OF GENETIC COUNSELING UNDER THIS PART.

12 (2) THIS PART DOES NOT APPLY TO AN INDIVIDUAL LICENSED BY THIS
13 STATE TO ENGAGE IN THE PRACTICE OF A HEALTH PROFESSION OTHER THAN
14 THE PRACTICE OF GENETIC COUNSELING WHEN ACTING WITHIN THE SCOPE OF
15 THE INDIVIDUAL'S HEALTH PROFESSION AND DOING WORK OF A NATURE
16 CONSISTENT WITH THE INDIVIDUAL'S EDUCATION AND TRAINING.

17 SEC. 17648. (1) TO OBTAIN A LICENSE RENEWAL AS A GENETIC
18 COUNSELOR UNDER THIS PART, A LICENSEE SHALL DO ALL OF THE
19 FOLLOWING:

20 (A) SUBMIT A RENEWAL APPLICATION PRESCRIBED BY THE DEPARTMENT.

21 (B) PAY THE FEES PRESCRIBED IN SECTION 16332.

22 (C) SUBJECT TO SUBSECTION (2), MEET THE STANDARDS FOR LICENSE
23 RENEWAL ESTABLISHED BY RULE PROMULGATED UNDER SECTION 17643(1).

24 (2) UNTIL FINAL RULES ON MINIMUM STANDARDS FOR LICENSE RENEWAL
25 ARE PROMULGATED UNDER SECTION 17643(1), THE DEPARTMENT SHALL
26 CONSIDER SATISFACTORY EVIDENCE THAT, DURING THE PERIOD SINCE THE
27 LICENSE WAS ISSUED OR LAST RENEWED UNTIL THE DATE OF THE

1 APPLICATION FOR LICENSE RENEWAL, THE LICENSEE MAINTAINED
2 CERTIFICATION THROUGH A NATIONALLY RECOGNIZED CERTIFYING AGENCY FOR
3 GENETIC COUNSELORS AS MEETING THE REQUIREMENTS OF SUBSECTION
4 (1) (C) .

5 SEC. 17649. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL THIRD
6 PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION BENEFITS FOR
7 SERVICES RENDERED BY AN INDIVIDUAL WHO IS LICENSED AS A GENETIC
8 COUNSELOR UNDER THIS PART.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.