

45:9-37.11B

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2013 **CHAPTER:** 30

NJSA: 45:9-37.11B (Revises scope of practice of genetic counselors)

BILL NO: S555 (Substituted for A1757)

SPONSOR(S) Gill and others

DATE INTRODUCED: January 10, 2012

COMMITTEE: **ASSEMBLY:** Regulated Professions

SENATE: Commerce

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 28, 2013

SENATE: June 28, 2012

DATE OF APPROVAL: March 12, 2013

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First reprint enacted)

S555

| | |
|---|----------------------|
| SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) | Yes |
| COMMITTEE STATEMENT: | ASSEMBLY: Yes |
| | SENATE: Yes |

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

| | |
|-----------------------------------|----|
| FLOOR AMENDMENT STATEMENT: | No |
| LEGISLATIVE FISCAL NOTE: | No |

A1757

| | |
|---|----------------------|
| SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) | Yes |
| COMMITTEE STATEMENT: | ASSEMBLY: Yes |
| | SENATE: No |
| FLOOR AMENDMENT STATEMENT: | No |
| LEGISLATIVE FISCAL ESTIMATE: | No |

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

P.L.2013, CHAPTER 30, *approved March 12, 2013*
Senate, No. 555 (*First Reprint*)

1 AN ACT concerning genetic counselors and amending ¹[and
2 supplementing]¹ P.L.2009, c.41.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 3 of P.L.2009, c.41 (C.45:9-37.113) is amended to
8 read as follows:

9 3. As used in this act:

10 "Board" means the State Board of Medical Examiners
11 established pursuant to R.S.45:9-1.

12 "Director" means the Director of the Division of Consumer
13 Affairs in the Department of Law and Public Safety.

14 "Genetic counseling" means a communication process,
15 conducted by one or more appropriately trained individuals, that
16 may include: obtaining and interpreting individual, family, medical
17 and developmental histories; determining the mode of inheritance
18 and risk of transmission of genetic conditions and birth defects;
19 discussing the inheritance features, natural history, means of
20 diagnosis, and management of genetic conditions and birth defects;
21 identifying, coordinating, ¹[interpreting,¹] and explaining ¹the
22 clinical implications of¹ genetic laboratory tests and other
23 diagnostic studies ¹and their results; integrating genetic laboratory
24 test results and other diagnostic studies with personal and family
25 medical history to assess and communicate risk factors for genetic
26 or medical conditions and diseases¹; assessing psychosocial factors
27 ¹[,]; recognizing social, educational, and cultural issues; evaluating
28 the client's or family's responses to the condition or risk of
29 recurrence and providing client-centered counseling and
30 anticipatory guidance; and facilitating informed decision making
31 about testing, management, and alternatives.

32 "Genetic Counseling Advisory Committee" or "committee"
33 means the Genetic Counseling Advisory Committee established
34 pursuant to section 4 of this act.

35 "Genetic counselor" means a health professional with specialized
36 education, training and experience in medical genetics who meets
37 the requirements for licensure as provided in this act.

38 "Licensed genetic counselor" means a person who holds a
39 current, valid license issued pursuant to section 9 of this act.

40 "Supervision" means the direct review of a supervisee for the
41 purpose of teaching, training, administration, accountability or

EXPLANATION – Matter enclosed in bold-faced brackets ¹[thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted February 9, 2012.

1 clinical review by a supervisor in the same area of specialized
2 practice.

3 (cf: P.L.2009, c.41, s.3)

4

5 2. Section 7 of P.L.2009, c.41 (C.45:9-37.117) is amended to
6 read as follows:

7 7. Except as provided in this section, a person shall not engage
8 in the practice of genetic counseling as a genetic counselor, or hold
9 himself out as a genetic counselor unless the person is licensed in
10 accordance with this act.

11 a. (1) Only an individual may be licensed to practice genetic
12 counseling within the State. A firm, partnership, association or
13 corporation shall not advertise or otherwise offer to provide or
14 convey the impression that it is providing genetic counseling
15 services unless an individual holding a current valid license
16 pursuant to the provisions of this act shall be rendering the genetic
17 counseling services.

18 (2) A person who is not licensed as a genetic counselor shall not
19 use the title "genetic counselor," "licensed genetic counselor,"
20 "gene counselor," "genetic consultant," "genetic associate" or any
21 words, abbreviations, acronyms, insignia or combination of words,
22 abbreviations, acronyms or insignias of similar import in relation to
23 the person's name, occupation, or place of business.

24 b. The provisions of this act shall not prohibit an out-of-State
25 genetic counselor from working as a consultant, or out-of-State
26 employer or other organization from employing genetic counselors
27 providing occasional services, who are not licensed pursuant to this
28 act, from engaging in the practice of genetic counseling, subject to
29 the stated circumstances and limitations as defined by the board, in
30 consultation with the committee, by regulation, so long as the
31 genetic counselor holds a license, if available, in the genetic
32 counselor's state of employment. If licensure is not available in the
33 genetic counselor's state of employment, the genetic counselor shall
34 be certified by the American Board of Genetic Counseling or the
35 American Board of Medical Genetics, or their successors, in order
36 to practice genetic counseling without a State license in accordance
37 with this subsection.

38 c. The provisions of this act shall not apply to:

39 (1) A person licensed by the State to practice medicine and
40 surgery [when acting within the scope of the person's profession
41 and doing work of a nature consistent with the person's training, so
42 long as the person does not hold himself out to the public as a
43 genetic counselor] 'so long as the person does not hold himself out
44 to the public as a licensed genetic counselor';

45 (2) A person licensed by the State as a registered nurse when
46 acting within the scope of the person's profession and doing work of

1 a nature consistent with the person's training, so long as the person
2 does not hold himself out to the public as a genetic counselor;

3 (3) A student candidate for a degree in genetic counseling, or its
4 equivalent as approved by the board in consultation with the
5 committee by regulation, enrolled in an educational program
6 accredited by the American Board of Genetic Counseling or its
7 successor, so long as the student is practicing as part of a supervised
8 course of study and is clearly designated by the title "genetic
9 counseling intern" or title of similar import; or

10 (4) A graduate with a degree in genetic counseling, or its
11 equivalent as approved by the board in consultation with the
12 committee by regulation, from an educational program accredited
13 by the American Board of Genetic Counseling or its successor, who
14 has not passed the examination for licensure but otherwise has met
15 all of the licensing requirements of this act, so long as **[: (a)]** the
16 person: (a) does not hold himself out to the public as a licensed
17 genetic counselor; (b) practices under the supervision of a licensed
18 genetic counselor or geneticist; and (c) successfully passes the
19 examination for licensure within the first two available examination
20 cycles next following the filing of an application for licensure as a
21 genetic counselor.

22 (cf: P.L.2009, c.41, s.7)

23

24 **'[3.(New section) If in the course of providing genetic**
25 **counseling to any patient, a genetic counselor finds any indication**
26 **of disease or condition that requires medical assessment, the genetic**
27 **counselor shall refer that patient to a physician licensed to practice**
28 **medicine and surgery.]'**

29

30 **'[4.] 3.'** This act shall take effect immediately.

31

32

33

34

35 Revises scope of practice of genetic counselors

SENATE, No. 555

STATE OF NEW JERSEY
215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Senator NIA H. GILL

District 34 (Essex and Passaic)

SYNOPSIS

Revises scope of practice of genetic counselors

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



S555 GILL

2

1 AN ACT concerning genetic counselors and amending and
2 supplementing P.L.2009, c.41.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 3 of P.L.2009, c.41 (C.45:9-37.113) is amended to
8 read as follows:

9 3. As used in this act:

10 "Board" means the State Board of Medical Examiners
11 established pursuant to R.S.45:9-1.

12 "Director" means the Director of the Division of Consumer
13 Affairs in the Department of Law and Public Safety.

14 "Genetic counseling" means a communication process,
15 conducted by one or more appropriately trained individuals, that
16 may include: obtaining and interpreting individual, family, medical
17 and developmental histories; determining the mode of inheritance
18 and risk of transmission of genetic conditions and birth defects;
19 discussing the inheritance features, natural history, means of
20 diagnosis, and management of genetic conditions and birth defects;
21 identifying, coordinating, **[interpreting,]** and explaining genetic
22 laboratory tests and other diagnostic studies; assessing psychosocial
23 factors **[.];** recognizing social, educational, and cultural issues;
24 evaluating the client's or family's responses to the condition or risk
25 of recurrence and providing client-centered counseling and
26 anticipatory guidance; and facilitating informed decision making
27 about testing, management, and alternatives.

28 "Genetic Counseling Advisory Committee" or "committee"
29 means the Genetic Counseling Advisory Committee established
30 pursuant to section 4 of this act.

31 "Genetic counselor" means a health professional with specialized
32 education, training and experience in medical genetics who meets
33 the requirements for licensure as provided in this act.

34 "Licensed genetic counselor" means a person who holds a
35 current, valid license issued pursuant to section 9 of this act.

36 "Supervision" means the direct review of a supervisee for the
37 purpose of teaching, training, administration, accountability or
38 clinical review by a supervisor in the same area of specialized
39 practice.

40 (cf: P.L.2009, c.41, s.3)

41

42 2. Section 7 of P.L.2009, c.41 (C.45:9-37.117) is amended to
43 read as follows:

44 7. Except as provided in this section, a person shall not engage

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 in the practice of genetic counseling as a genetic counselor, or hold
2 himself out as a genetic counselor unless the person is licensed in
3 accordance with this act.

4 a. (1) Only an individual may be licensed to practice genetic
5 counseling within the State. A firm, partnership, association or
6 corporation shall not advertise or otherwise offer to provide or
7 convey the impression that it is providing genetic counseling
8 services unless an individual holding a current valid license
9 pursuant to the provisions of this act shall be rendering the genetic
10 counseling services.

11 (2) A person who is not licensed as a genetic counselor shall not
12 use the title "genetic counselor," "licensed genetic counselor,"
13 "gene counselor," "genetic consultant," "genetic associate" or any
14 words, abbreviations, acronyms, insignia or combination of words,
15 abbreviations, acronyms or insignias of similar import in relation to
16 the person's name, occupation, or place of business.

17 b. The provisions of this act shall not prohibit an out-of-State
18 genetic counselor from working as a consultant, or out-of-State
19 employer or other organization from employing genetic counselors
20 providing occasional services, who are not licensed pursuant to this
21 act, from engaging in the practice of genetic counseling, subject to
22 the stated circumstances and limitations as defined by the board, in
23 consultation with the committee, by regulation, so long as the
24 genetic counselor holds a license, if available, in the genetic
25 counselor's state of employment. If licensure is not available in the
26 genetic counselor's state of employment, the genetic counselor shall
27 be certified by the American Board of Genetic Counseling or the
28 American Board of Medical Genetics, or their successors, in order
29 to practice genetic counseling without a State license in accordance
30 with this subsection.

31 c. The provisions of this act shall not apply to:

32 (1) A person licensed by the State to practice medicine and
33 surgery [when acting within the scope of the person's profession
34 and doing work of a nature consistent with the person's training, so
35 long as the person does not hold himself out to the public as a
36 genetic counselor];

37 (2) A person licensed by the State as a registered nurse when
38 acting within the scope of the person's profession and doing work of
39 a nature consistent with the person's training, so long as the person
40 does not hold himself out to the public as a genetic counselor;

41 (3) A student candidate for a degree in genetic counseling, or its
42 equivalent as approved by the board in consultation with the
43 committee by regulation, enrolled in an educational program
44 accredited by the American Board of Genetic Counseling or its
45 successor, so long as the student is practicing as part of a supervised
46 course of study and is clearly designated by the title "genetic
47 counseling intern" or title of similar import; or

S555 GILL

1 (4) A graduate with a degree in genetic counseling, or its
2 equivalent as approved by the board in consultation with the
3 committee by regulation, from an educational program accredited
4 by the American Board of Genetic Counseling or its successor, who
5 has not passed the examination for licensure but otherwise has met
6 all of the licensing requirements of this act, so long as **[(a)]** the
7 person: (a) does not hold himself out to the public as a licensed
8 genetic counselor; (b) practices under the supervision of a licensed
9 genetic counselor or geneticist; and (c) successfully passes the
10 examination for licensure within the first two available examination
11 cycles next following the filing of an application for licensure as a
12 genetic counselor.
13 (cf: P.L.2009, c.41, s.7)
14

15 3. (New section) If in the course of providing genetic
16 counseling to any patient, a genetic counselor finds any indication
17 of disease or condition that requires medical assessment, the genetic
18 counselor shall refer that patient to a physician licensed to practice
19 medicine and surgery.
20

21 4. This act shall take effect immediately.
22
23

24 STATEMENT
25

26 This bill amends the “Genetic Counselor’s Licensing Act,”
27 P.L.2009, c.41 (C.45:9-37.111 et seq.). Under current law, genetic
28 counseling includes interpreting genetic laboratory tests and other
29 diagnostic studies. This bill removes from a genetic counselor’s
30 scope of practice interpreting such laboratory tests and other
31 diagnostic studies. The bill also mandates that if in the course of
32 providing a genetic counseling service to any patient, a genetic
33 counselor finds any indication of disease or condition that requires
34 medical assessment, the genetic counselor shall refer that patient to
35 a physician licensed to practice medicine and surgery.

36 In addition, the bill stipulates that the provisions of the “Genetic
37 Counselor’s Licensing Act” shall not apply to a person licensed by
38 the State to practice medicine and surgery. Currently, the law states
39 that the provisions of the act shall not apply to a person licensed by
40 the State to practice medicine and surgery when acting within the
41 scope of the person's profession and doing work of a nature
42 consistent with the person's training, so long as the person does not
43 hold himself out to the public as a genetic counselor.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 555

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 2012

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 555.

This bill amends the “Genetic Counselor’s Licensing Act,” P.L.2009, c.41 (C.45:9-37.111 et seq.). Under current law, genetic counseling includes interpreting genetic laboratory tests and other diagnostic studies. This bill removes from a genetic counselor’s scope of practice interpreting such laboratory tests and other diagnostic studies and clarifies that genetic counseling includes identifying, coordinating, and explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results. The bill also adds to the scope of practice integrating 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.

Current law provides that the provisions of the “Genetic Counselor’s Licensing Act,” shall not apply to a person licensed by the State to practice medicine and surgery when acting within the scope of the person's profession and doing work of a nature consistent with the person's training, so long as the person does not hold himself out to the public as a genetic counselor. The bill, as amended, provides that the act shall not apply to a person licensed by the State to practice medicine and surgery, so long as the person does not hold himself out to the public as a licensed genetic counselor and removes the qualification requiring that the person must be acting within the scope of the person's profession and doing work of a nature consistent with the person's training.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

Committee Amendments:

The committee amendments to the bill:

- Include in the definition of “genetic counseling” the following:
 - (1) identifying, coordinating, and explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their

results; and (2) integrating 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.

- Provide that, in order for a person licensed by the State to practice medicine and surgery to be excluded from the provisions of the "Genetic Counselor's Licensing Act," the person cannot not hold himself out to the public as a licensed genetic counselor.

- Remove from the bill the requirement that, if in the course of providing a genetic counseling service to any patient, a genetic counselor finds any indication of disease or condition that requires medical assessment, the genetic counselor must refer that patient to a physician licensed to practice medicine and surgery.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 555

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2012

The Assembly Regulated Professions Committee reports favorably Senate Bill No. 555(1R).

This bill amends the “Genetic Counselor’s Licensing Act,” P.L.2009, c.41 (C.45:9-37.111 et seq.). Under current law, genetic counseling includes interpreting genetic laboratory tests and other diagnostic studies. This bill removes from a genetic counselor’s scope of practice interpreting such laboratory tests and other diagnostic studies and clarifies that genetic counseling includes identifying, coordinating, and explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results. The bill also adds to the scope of practice integrating 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.

Current law provides that the provisions of the “Genetic Counselor’s Licensing Act,” shall not apply to a person licensed by the State to practice medicine and surgery when acting within the scope of the person's profession and doing work of a nature consistent with the person's training, so long as the person does not hold himself out to the public as a genetic counselor. The bill provides that the act shall not apply to a person licensed by the State to practice medicine and surgery, so long as the person does not hold himself out to the public as a licensed genetic counselor.

ASSEMBLY, No. 1757

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Co-Sponsored by:

Assemblyman Giblin

SYNOPSIS

Revises scope of practice of genetic counselors.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



A1757 PRIETO

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16 may include: obtaining and interpreting individual, family, medical
17 and developmental histories; determining the mode of inheritance
18 and risk of transmission of genetic conditions and birth defects;
19 discussing the inheritance features, natural history, means of
20 diagnosis, and management of genetic conditions and birth defects;
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22 laboratory tests and other diagnostic studies; assessing psychosocial
23 factors **[,]** ; recognizing social, educational, and cultural issues;
24 evaluating the client's or family's responses to the condition or risk
25 of recurrence and providing client-centered counseling and
26 anticipatory guidance; and facilitating informed decision making
27 about testing, management, and alternatives.

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29 means the Genetic Counseling Advisory Committee established
30 pursuant to section 4 of this act.

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32 education, training and experience in medical genetics who meets
33 the requirements for licensure as provided in this act.

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35 current, valid license issued pursuant to section 9 of this act.

36 "Supervision" means the direct review of a supervisee for the
37 purpose of teaching, training, administration, accountability or
38 clinical review by a supervisor in the same area of specialized
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40 (cf: P.L.2009, c.41, s.3)

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43 read as follows:

44 7. Except as provided in this section, a person shall not engage
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2 accordance with this act.

3 a. (1) Only an individual may be licensed to practice genetic
4 counseling within the State. A firm, partnership, association or
5 corporation shall not advertise or otherwise offer to provide or
6 convey the impression that it is providing genetic counseling
7 services unless an individual holding a current valid license
8 pursuant to the provisions of this act shall be rendering the genetic
9 counseling services.

10 (2) A person who is not licensed as a genetic counselor shall not
11 use the title "genetic counselor," "licensed genetic counselor,"
12 "gene counselor," "genetic consultant," "genetic associate" or any
13 words, abbreviations, acronyms, insignia or combination of words,
14 abbreviations, acronyms or insignias of similar import in relation to
15 the person's name, occupation, or place of business.

16 b. The provisions of this act shall not prohibit an out-of-State
17 genetic counselor from working as a consultant, or out-of-State
18 employer or other organization from employing genetic counselors
19 providing occasional services, who are not licensed pursuant to this
20 act, from engaging in the practice of genetic counseling, subject to
21 the stated circumstances and limitations as defined by the board, in
22 consultation with the committee, by regulation, so long as the
23 genetic counselor holds a license, if available, in the genetic
24 counselor's state of employment. If licensure is not available in the
25 genetic counselor's state of employment, the genetic counselor shall
26 be certified by the American Board of Genetic Counseling or the
27 American Board of Medical Genetics, or their successors, in order
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31 (1) A person licensed by the State to practice medicine and
32 surgery [when acting within the scope of the person's profession
33 and doing work of a nature consistent with the person's training, so
34 long as the person does not hold himself out to the public as a
35 genetic counselor];

36 (2) A person licensed by the State as a registered nurse when
37 acting within the scope of the person's profession and doing work of
38 a nature consistent with the person's training, so long as the person
39 does not hold himself out to the public as a genetic counselor;

40 (3) A student candidate for a degree in genetic counseling, or its
41 equivalent as approved by the board in consultation with the
42 committee by regulation, enrolled in an educational program
43 accredited by the American Board of Genetic Counseling or its
44 successor, so long as the student is practicing as part of a supervised
45 course of study and is clearly designated by the title "genetic
46 counseling intern" or title of similar import; or

1 (4) A graduate with a degree in genetic counseling, or its
2 equivalent as approved by the board in consultation with the
3 committee by regulation, from an educational program accredited
4 by the American Board of Genetic Counseling or its successor, who
5 has not passed the examination for licensure but otherwise has met
6 all of the licensing requirements of this act, so long as **[(a)]** the
7 person: (a) does not hold himself out to the public as a licensed
8 genetic counselor; (b) practices under the supervision of a licensed
9 genetic counselor or geneticist; and (c) successfully passes the
10 examination for licensure within the first two available examination
11 cycles next following the filing of an application for licensure as a
12 genetic counselor.
13 (cf: P.L.2009, c.41, s.7)
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15 3. (New section) If in the course of providing genetic
16 counseling to any patient, a genetic counselor finds any indication
17 of disease or condition that requires medical assessment, the genetic
18 counselor shall refer that patient to a physician licensed to practice
19 medicine and surgery.
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21 4. This act shall take effect immediately.
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24 STATEMENT
25

26 This bill amends the “Genetic Counselor’s Licensing Act,”
27 P.L.2009, c.41 (C.45:9-37.111 et seq.). Under current law, genetic
28 counseling includes interpreting genetic laboratory tests and other
29 diagnostic studies. This bill removes from a genetic counselor’s
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33 counselor finds any indication of disease or condition that requires
34 medical assessment, the genetic counselor shall refer that patient to
35 a physician licensed to practice medicine and surgery.

36 In addition, the bill stipulates that the provisions of the “Genetic
37 Counselor’s Licensing Act” shall not apply to a person licensed by
38 the State to practice medicine and surgery. Currently, the law states
39 that the provisions of the act shall not apply to a person licensed by
40 the State to practice medicine and surgery when acting within the
41 scope of the person's profession and doing work of a nature
42 consistent with the person's training, so long as the person does not
43 hold himself out to the public as a genetic counselor.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1757

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2012

The Assembly Regulated Professions Committee reports favorably and with committee amendments Assembly Bill No. 1757.

This bill amends the “Genetic Counselor’s Licensing Act,” P.L.2009, c.41 (C.45:9-37.111 et seq.). Under current law, genetic counseling includes interpreting genetic laboratory tests and other diagnostic studies. As amended by the committee, this bill removes from a genetic counselor’s scope of practice interpreting such laboratory tests and other diagnostic studies and clarifies that genetic counseling includes identifying, coordinating, and explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results. The bill also adds to the scope of practice integrating 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.

Current law provides that the provisions of the “Genetic Counselor’s Licensing Act,” shall not apply to a person licensed by the State to practice medicine and surgery when acting within the scope of the person's profession and doing work of a nature consistent with the person's training, so long as the person does not hold himself out to the public as a genetic counselor. The bill, as amended, provides that the act shall not apply to a person licensed by the State to practice medicine and surgery, so long as the person does not hold himself out to the public as a licensed genetic counselor and removes the qualification requiring that the person must be acting within the scope of the person's profession and doing work of a nature consistent with the person's training.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended by the committee, this bill is identical to S-555(1R), which was also reported favorably today by the committee.

COMMITTEE AMENDMENTS

The committee amendments to the bill:

- Include in the definition of “genetic counseling” the following: (1) identifying, coordinating, and explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results; and (2) integrating 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.

- Provide that, in order for a person licensed by the State to practice medicine and surgery to be excluded from the provisions of the "Genetic Counselor's Licensing Act," the person cannot hold himself out to the public as a licensed genetic counselor.

- Remove from the bill the requirement that, if in the course of providing a genetic counseling service to any patient, a genetic counselor finds any indication of disease or condition that requires medical assessment, the genetic counselor must refer that patient to a physician licensed to practice medicine and surgery.