

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** House Bill 333

**PRINTER'S NO.** 2875

**AMOUNT**

\$1,800 in FY 2011-12  
Costs Covered by Fees

**FUND**

General – State Board of Osteopathic  
Medicine Restricted Revenue Account

**DATE INTRODUCED**

January 31, 2011

**PRIME SPONSOR**

Representative Killion

**HISTORY OF BILL**

Referred to PROFESSIONAL LICENSURE, Jan. 31, 2011

Reported as amended, April 6, 2011

First consideration, April 6, 2011

Laid on the table, April 6, 2011

Removed from table, April 26, 2011

Second consideration, April 27, 2011

Re-committed to APPROPRIATIONS, April 27, 2011

Re-reported as committed, May 2, 2011

Third consideration and final passage, May 2, 2011 (166-28)

(Remarks see House Journal Page 804-805), May 2, 2011

In the Senate

Referred to CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 6,  
2011

Reported as amended, Oct. 25, 2011

First consideration, Oct. 25, 2011

Re-referred to APPROPRIATIONS, Nov. 1, 2011

Re-reported as amended, Dec. 12, 2011

**DESCRIPTION AND PURPOSE OF BILL**

House Bill 333 amends the Osteopathic Medical Practice Act to require a license to practice genetic counseling. The bill defines the term, genetic counseling, as well as a genetic counselor's scope of practice and prohibitions.

Beginning two years after the bill's effective date, no one may hold themselves out to the public as a genetic counselor or practice genetic counseling unless licensed by the State Board of Osteopathic Medicine.

To be licensed, a genetic counselor must be at least 21 years of age; of good moral character; hold a master's or doctoral degree in human genetics or genetic counseling from an accredited educational program or having met the requirements for certification by the American Board of Genetic Counselors (ABGC) or the American Board of Medical Genetics (ABMG); and have passed the ABGC certification examination for genetic counselors or the ABMG certification examination for medical geneticists.

# **SENATE APPROPRIATIONS COMMITTEE**

## **FISCAL NOTE**

A "grandfathering provision" permits a person with a master's or higher degree in genetics and at least three years experience working as a genetic counselor, or a person with a bachelor's degree in genetics and at least ten years experience working as a genetic counselor to obtain licensure without passing the ABGC or the ABMG examination. This provision applies to the three year period following the effective date.

The Board shall establish all license and application fees through regulation. Until such time as the Board adopts a fee by regulation, applicants shall pay a biennial fee of \$125.

The Board must also establish continuing education requirements for genetic requirements and develop criteria to approve continuing education programs.

The legislation requires genetic counselors to maintain liability insurance of at least \$1 million per occurrence or of claims made.

The State Board of Osteopathic Medicine is required to promulgate regulations to carry out the provisions of this act within 12 months of the effective date. Prior to the promulgation of the regulations, the department must promulgate a statement of policy setting forth the application form for initial licensure under this act. The statement policy will expire upon the approval of the final regulations.

The act shall take effect in 60 days.

### **FISCAL IMPACT:**

The Department of State estimates personnel and operating start up costs for the State Board of Osteopathic Medicine to administer this law at about \$1,800. The Department estimates that there are approximately 30 trained genetic counselors in the Commonwealth that will be under the purview of the State Board of Osteopathic Medicine. Therefore, the Board anticipates setting an annual licensing fee of about \$60 to cover the costs they will incur to implement the law's provisions. The Board will initially collect a biennial fee of \$125 from applicants in accordance with Section 10.3 (h).