

ARKANSAS SENATE
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of Senate Bill No. 190

TO CREATE THE ARKANSAS GENETIC COUNSELOR LICENSURE ACT.

Amendment No. 1 to Senate Bill 190

Amend Senate Bill No. 190 as originally introduced:

Page 1, delete lines 34 through 36, and substitute the following:

- "(A) Interpreting family and medical histories to assess the chance of disease occurrence or recurrence;
(B) Educating an individual or an individual's family about inheritance, testing, management, prevention, resources, and research;
(C) Counseling an individual or an individual's family to promote informed choices and adaption to the risk or condition;
(D) Estimating the likelihood of occurrence or recurrence of any potentially inherited or genetically influenced condition which may involve:
- (i) Obtaining and analyzing a complete health history of the individual and the individual's family;
 - (ii) Reviewing the pertinent medical records;
 - (iii) Evaluating the risks from exposure to possible mutagens or teratogens; and
 - (iv) Recommending genetic testing or other evaluations to assist in the diagnosis of a condition or determine the carrier status of one (1) or more family members;
- (E) Assisting the individual, the individual's family, the individual's healthcare provider, or the public to:
- (i) Appreciate the medical, psychological, and social implications of a disorder, including the features, variability, usual course, and management options of the disorder;
 - (ii) Learn how genetic factors contribute to the disorder and affect the chance for recurrence of the condition in other family members;
 - (iii) Understand available options for coping with, preventing, or reducing the chance of occurrence or recurrence of a condition;
 - (iv) Select the most appropriate, accurate, and cost-effective methods of diagnosis; and
 - (v) Understand genetic tests, including without



limitation diagnostic genetic tests, screening tests, or predispositional genetic tests, coordinate testing for inherited disorders, and interpret complex genetic test results; and

(F) Facilitating an individual's or an individual's family's:

(i) Exploration of the perception of risk and burden associated with a genetic disorder;

(ii) Decision-making regarding testing or medical interventions consistent with their beliefs, goals, needs, resources, culture, and ethical or moral views; and

(iii) Adjustment and adaption to the condition or their genetic risk by addressing needs for psychological, social, and medical support;"

AND

Page 2, delete lines 1 through 25

AND

Page 2, line 26, delete "(3)" and substitute "(2)"

AND

Page 2, delete lines 27 through 34, and substitute the following:

"under this subchapter to engage in the practice of genetic counseling; and

(3)(A) "Supervision" means the ongoing, direct clinical review for the purposes of training or teaching, by an approved supervisor who monitors the performance or a person's supervised interaction with a client and provides regular documented face-to-face consultation, guidance, and instructions with respect to the clinical skills and competencies of the person supervised.

(B) "Supervision" may include without limitation the review of case presentation, audio tapes, video tapes, and direct observation."

AND

Page 3, delete lines 6 through 16, and substitute the following:

"(2) An individual trained as a genetic counselor who is:

(A) Reapplying for the American Board of Genetic Counseling certification examination and gathering logbook cases under supervision in an approved genetic counseling training site; or

(B) Practicing under direct supervision of a licensed physician;

(3) A student enrolled in an approved academic program in genetic counseling if the practice constitutes a part of a supervised course of study and the student is designated by a title that clearly indicates the student's status as a student or trainee;

(4)(A) An individual who is employed by a state genetics center to provide education regarding single gene conditions, including without limitation sickle cell, cystic fibrosis, and hemoglobinopathies.

(B) An individual described in subdivision (4)(A) of this section shall not use the title "genetic counselor" or any other title tending to indicate that he or she is a genetic counselor unless he or she is licensed in this state; and

(5)(A) A visiting genetic counselor who is certified by the American Board of Genetic Counseling or American Board of Medical Genetics from outside the state performing activities and services for a period of thirty (30) days each year.

(B) A visiting genetic counselor shall be licensed if the license is available in his or her home state."

AND

Page 4, delete lines 2 and 3, and substitute the following:
"counselor" or "genetic counselor" or use any words, letters, abbreviations, or insignia"

AND

Page 4, line 8, delete "a genetic" and substitute "a licensed genetic"

AND

Page 4, delete 14 through 19, and substitute the following:
"midlevel healthcare professionals licensed by the Arkansas State Medical Board; and

(3) Provides evidence of:

(A) Having earned a master's degree from a genetic counseling training program that is accredited by the American Board of Genetic Counseling or an equivalent as determined by the American Board of Genetic Counseling or the American Board of Medical Genetics; and

(B) Meets the examination requirements for certification and has current certification as a genetic counselor by the American Board of Genetic Counseling or the American Board of Medical Genetics."

AND

Page 4, line 33, delete "genetic" and substitute "licensed genetic"

AND

Page 4, line 34, delete "genetic" and substitute "licensed genetic"

AND

Page 4, line 35, delete "thirty (30)" and substitute "fifty (50)"

AND

Page 5, delete lines 1 through 4, and substitute the following:

"(2) The licensed genetic counselor is responsible for maintaining:

(A) Competent records of having completed qualified professional education for a period of four (4) years after close of the two-year period to which the records pertain; and

(B) Information with respect to having completed a qualified professional education to demonstrate that the education meet the requirements of this subchapter.

(3) The Arkansas State Medical Board may waive the continuing education requirement or grant an extension of time to complete the continuing education requirement in cases of retirement, illness, disability, or other undue hardship."

AND

Page 5, delete line 9, and substitute the following:

"§ 17-95-1106 if the applicant:"

AND

Page 5, line 27, delete "Thirty (30)" and substitute "Ninety (90)"

AND

Page 5, line 31, delete "under the supervision of a supervisor" and substitute "under the supervision of a licensed genetic counselor or a licensed physician with current American Board of Genetic Counseling certification in clinical genetics"

AND

Page 5, delete line 32, and substitute the following:

"counseling services.

(c) A temporary license shall not be issued if the applicant has failed the American Board of Genetic Counseling certification examination more than two (2) times."

AND

Page 6, line 5, delete "law or" and substitute "law;"

AND

Page 6, delete line 6

AND

Page 6, line 8, delete "liquors to" and substitute "liquors, narcotics, controlled substances, or other drugs or stimulants to"

AND

Page 6, line 13, delete "any order or" and substitute "any provision of this subchapter or any"

AND

Page 6, delete line 22, and substitute the following:
"based on the decision of the board.

17-95-1110. Surrendering license due to retirement.

(a) In order to retire his or her license, a licensed genetic counselor shall file an affidavit with the Arkansas State Medical Board stating the date on which the individual will retire or has retired and other information determined necessary by the board.

(b) If a licensed genetic counselor retires his or her licensed as described in subsection (a) of this section, the individual shall apply for licensure as provided in § 17-95-1106 and is not liable for renewal fees that may accrue during the retirement period."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator G. Leding

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Secretary