

SENATE BILL REPORT

SSB 5608

As Amended by House, April 8, 2009

Title: An act relating to genetic counselors.

Brief Description: Concerning genetic counselors.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Pflug, Fairley, Regala, Marr and Kohl-Welles).

Brief History:

Committee Activity: Health & Long-Term Care: 2/09/09, 2/18/09 [DPS-WM, w/oRec].

Passed Senate: 3/09/09, 38-7.

Passed House: 4/08/09, 66-32.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5608 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Marr and Murray.

Minority Report: That it be referred without recommendation.

Signed by Senators Becker and Parlette.

Staff: Edith Rice (786-7444)

Background: Genetic counselors provide information on medical genetics and counsel individuals and families on genetic disorders. Genetic counselors work with other health care professionals to inform and support people who have an inherited risk for genetic disorders, people diagnosed with genetic diseases, and the families of children born with birth defects. Washington does not currently credential genetic counselors.

The Washington State House of Representatives considered a proposal to license genetic counselors as a new health profession during the 2005 legislative session. The Legislature referred the bill to the Department of Health (the department) to conduct a Sunrise Review. After conducting public hearings, independent research, and requesting information from other states, the department reported its findings in a report to the 2006 Legislature.

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.

The department report recommended that the profession not be regulated. In making its findings, the department had to consider specific standards. The department found that unregulated practice did not clearly harm or endanger the public. Those who wish to engage the services of a qualified genetic counselor are able to do so, and the public can be effectively protected by other means. The department report noted concerns that genetic counselors may be engaging in the practice of medicine without a license, and that the licensure fees which would have to be assessed would be prohibitive. At the time of the report in 2006 there were approximately 50 genetic counselors in Washington State.

Summary of Substitute Bill: The Secretary of the department is authorized to establish all licensing and examination requirements for the practice of genetic counseling. Genetic counseling is defined as including: estimating the likelihood of a birth defect, helping individuals, families and health care providers understand available options, and ordering testing. The department is required to issue a license to applicants who meet specific education requirements, complete required clinical experience, and complete an approved examination. Those who do not meet these requirements cannot be licensed as a genetic counselor and cannot represent themselves as licensed genetic counselors.

An advisory committee on genetic counseling is established to make recommendations to the department regarding rule and practice development, address complaints and recommend continuing competency requirements. Genetic counselors are added to the list of health professionals subject to the Uniform Disciplinary Act.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on August 1, 2010.

Staff Summary of Public Testimony: PRO: We support this bill. Genetic counselors provide the intersection between science and society. It is important to ensure that genetic counselors meet standard qualifications. There has been significant change in the area of genetics in the last decade. Genetic issues are much more complex. Genetic counseling requires an understanding of the sciences, needs of the families involved, and the medical field. Patients should be protected if they are referred to a genetic counselor.

OTHER: Other health care providers also have some amount of genetic counseling responsibility with patients. This can include nurses or nurse practitioners who might be working with pregnant patients. We suggest having some collaborative language that will allow for this.

Persons Testifying: PRO: Nancy Hanson, Washington State Genetic Counselor Network; Allison Cannaday-Smith, Roberta A. Pagon, MD, University of Washington.

OTHER: Sophia Aragon, Washington State Nurses Association; Tammie Warnke, Advanced Registered Nurse Practitioners United of Washington.

House Amendment(s): The amendments prohibit a person from engaging in genetic counseling without a license or a provisional license, and prohibit a person from representing himself or herself as a genetic counselor without being licensed.