



COLLEGE of AMERICAN PATHOLOGISTS

January 21, 2015

Senator Melissa H. Wiklund
Vice Chair, Health, Human Services & Housing
sen.melissa.wiklund@senate.mn
Capitol, Room 303
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1606

Senator Melisa Franzen
Vice Chair, Finance Health and Human Services Budget Division
sen.melisa.franzen@senate.mn
Capitol, Room 306
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1606

Re: Request for Technical Amendment of Senate File No. 37 (Licensure of Genetic Counselors)

Dear Senator Wiklund and Senator Franzen:

I am writing to request a technical amendment for Senate File No. 37 on behalf of the College of American Pathologists (CAP) and the Minnesota Society of Pathologists (MSP). The CAP is a national medical specialty society representing nearly 18,000 physicians who practice clinical and anatomic pathology in community hospitals, independent clinical laboratories, academic medical centers and federal and state health facilities. The MSP is a state medical specialty society representing many practicing pathologists in Minnesota.

The CAP and the MSP have no objection to the licensure of genetic counselors as delineated in the legislation. Our concern is that Section 3, Subdivision 3 (a) does not expressly exempt licensed physicians from any requirement to obtain a genetic counselor license in order to provide any of the services that the genetic counselor would perform under the scope of practice contemplated under the bill. Such an exemption may be implied in the language that genetic counselor licensure does not “prohibit or restrict the practice of any profession or occupation licensed or registered by the state.” However, this exemption for physicians is not explicit.

Our request for amendment is to expressly clarify in the exemption Section 3, Subdivision 3 (b) (Page 3), that the legislation does not require physicians to obtain a genetic counselor license. Accordingly, we propose the following amendment as a new subdivision (b) (4) underscored below:

(b) Nothing in sections 147F.01 to 147F.17 shall be construed to require a license under sections 147F.01 to 147F.17 for:

- (1) an individual employed as a genetic counselor by the federal government or federal agency if the individual is providing services under the direction and control of the employer;
- (2) a student or intern enrolled in an ACGC-accredited genetic counseling educational program providing genetic counseling services that are an integral part of the student's course of study, are performed under the direct supervision of a



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licensed genetic counselor or physician who is on duty in the assigned patient care area, and the student is identified by the title "genetic counseling intern"; or (3) a visiting ABGC- or ABMG-certified genetic counselor working as a consultant in this state who permanently resides outside of the state, or the occasional use of services from organizations from outside of the state that employ ABGC- or ABMG-certified genetic counselors. This is limited to practicing for 30 days total within one calendar year. Certified genetic counselors from outside of the state working as a consultant in this state must be licensed in their state of residence if that credential is available.

(4) an individual who is licensed to practice medicine under chapter 147.

We believe that this technical amendment will ensure that the practice of medicine is not constrained by a newly codified scope of practice for genetic counselors. Thank you for your courtesies in consideration of this request for a technical amendment.

Sincerely,

A. Joe Saad, MD, FCAP
Chair, Federal and State Affairs Committee
Sent via email

cc: Ross Simpson, MD, President, Minnesota Society of Pathologists
David Renner, Director, Minnesota Medical Association