



**BOARD OF
MEDICINE**

Established 1890

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SENATE HUMAN SERVICES COMMITTEE
JANUARY 8, 2025

TESTIMONY OF
NORTH DAKOTA BOARD OF MEDICINE
SENATE BILL NO. 2040

Chair Lee, members of the Committee, I'm Sandra DePountis, Executive Director of the North Dakota Board of Medicine, appearing on behalf of the Board to present Senate Bill 2040 relating to ordering of genetic testing by genetic counselors and examinations required for licensure.

Section 1 of the bill would allow genetic counselors to order their own genetic testing, without needing to go through a physician to submit the order. This update will streamline the process and remove backlog. According to the National Society of Genetic Counselors, 33 states license genetic counselors and 11 allow for them to order the tests directly, including our bordering states – South Dakota, Montana, and Minnesota. Language is included noting that though the genetic counselor can order the test, the primary care of the patient remains with the medical provider.

Section 2 of the bill updates the examination requirements to be consistent with other professions under the Board's jurisdiction and national standards from the American Board of Genetic Counseling (ABGC). The ABGC requires the examination to be taken within 5 years of graduation, an update reflected in the bill. Although a three-attempt exam limit remains in place, limited exceptions for such requirements have been recognized by the Board for other professions. North Dakota Administrative Code section 50-02-11-03.1 allows for exceptions to the physician exam attempt limit if the physician is (1) licensed in another state; (2) practiced for

Mission Statement

The Board's mission is to protect the public's health, safety and welfare by regulating the practice of medicine, thereby ensuring quality health care for the citizens of this state.

a minimum of five years; (3) has not disciplinary action within the ten years preceding the date of application; and (4) holds certification by the American Board of Medical Specialties. Another exception is if the applicant can show a documented disability.

There are similar exceptions to the naturopathic doctor exam limit attempts, amended to fit within its profession (found in North Dakota Administrative Code section 50-06-01-06).

The Board is looking to adopt similar exceptions for genetic counselors into rule, with amendments applicable to its profession.

Thank you for your time and attention and I would be happy to answer any questions.