

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2040

Introduced by

Human Services Committee

(At the request of the North Dakota Board of Medicine)

1 A BILL for an Act to amend and reenact subsection 2 of section 43-60-02 and subsection 1 of
2 section 43-60-03 of the North Dakota Century Code, relating to the ordering of genetic testing
3 by genetic counselors and examinations required for genetic counseling licensure.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 43-60-02 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 2. Genetic testing may be ~~provided~~ordered by a licensed genetic counselor ~~only when~~
8 ~~ordered by or in coordination with~~ a North Dakota licensed health care provider acting
9 within the provider's scope of practice and privileged to do so. ~~The referring or primary~~
10 ~~provider shall maintain supervision of patient care and the licensed genetic counselor~~
11 ~~shall provide reports to the referring or primary health care provider ordering such~~
12 ~~testing~~Nothing in this chapter authorizes a genetic counselor to practice medicine,
13 including treatment or medical management of a patient. If, in the course of providing
14 genetic counseling to a client, a genetic counselor finds any indication of a disease or
15 condition that requires medical assessment or treatment, the genetic counselor shall
16 refer the client to a provider licensed to practice medicine.

17 **SECTION 2. AMENDMENT.** Subsection 1 of section 43-60-03 of the North Dakota Century
18 Code is amended and reenacted as follows:

19 1. An applicant for licensure under this chapter shall pay any filing fee and file an
20 application, on forms provided by the board, to the satisfaction of the board that the
21 applicant is of good moral character and satisfies all of the requirements of this
22 chapter, including:
23 a. Education at one of the following levels:

1 (1) Master of science degree from a genetic counseling training program that is
2 accredited by the ABGC or an ABGC-approved equivalent organization and
3 approved by the board; or

4 (2) Doctoral degree from a medical genetics training program that is accredited
5 by the ABMG and approved by the board; and

6 b. Successful completion of all requirements of the certification examination within a
7 period not to exceed ~~four~~five years from initial examination to successful
8 completion and with no more than three attempts unless an exception is
9 approved by rule adopted by the board;

10 c. Physical, mental, and professional capability for the practice of genetic
11 counseling in a manner acceptable to the board; and

12 d. A history free of any finding by the board, by any other state licensing board, or
13 by any court of competent jurisdiction which would constitute grounds for
14 disciplinary action under this chapter. The board may modify this restriction for
15 cause.