

2025 SENATE HUMAN SERVICES

SB 2040

2025 SENATE STANDING COMMITTEE MINUTES

Human Services Committee Fort Lincoln Room, State Capitol

SB 2040
1/8/2025

The ordering of Genetic testing by genetic counselors and examinations required for genetic counseling licensure.

8:57 a.m. Chairman Lee called the meeting to order.

Members Present: Chairman Lee, Vice-Chairman Weston, Senator Van Oosting, Senator Clemens, Senator Hogan, Senator Roers. No members absent.

Discussion Topics:

- Application of genetic testing
- Number of Genetic Counselors

8:57 a.m. Sandra DePountis, Executive Director of the North Dakota Board of Medicine testified in favor and submitted testimony #28097.

9:00 a.m. Linda Wolf, Genetic Counselor testified in favor.

9:09 a.m. Chairman Lee closed the hearing.

9:10 a.m. Senator Hogan moved Do Pass.

9:10 a.m. Senator Weston seconded the motion.

Senators	Vote
Senator Judy Lee	Y
Senator Kent Weston	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Desiree Van Oosting	Y

9:11 a.m. Motion passed 6-0-0.

9:11 a.m. Senator Hogan will carry the bill.

9:13 a.m. Chairman Lee closed the meeting.

Andrew Ficek, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2040 ([25.8000.01000](#))

Human Services Committee (Sen. Lee, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING), and be placed on the Eleventh order on the calendar. This bill does not affect workforce development.



**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.

2025 HOUSE HUMAN SERVICES

SB 2040

2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

SB 2040
3/5/2025

Relating to the ordering of genetic testing by genetic counselors and examinations required for genetic counseling licensure.

10:51 a.m. Chairman M. Ruby opened the hearing.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

Discussion Topics:

- Genetic counselor vs primary care doctor
- Genetic counselor qualifications

10:52 a.m. Sandra DePountis, Executive Director for the ND Board of Medicine, testified in support and submitted testimony #38468.

10:55 a.m. Linda Wolf, Genetic Counselor at Sanford Health, testified in support.

10:55 a.m. Chairman M. Ruby closed the hearing.

Jackson Toman, Committee Clerk

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Bismarck, ND 58503-6162Phone (701) 450-4060 • Fax (701) 989-6392
www.ndbom.org**SENATE HUMAN SERVICES COMMITTEE
MARCH 5, 2025****TESTIMONY OF
NORTH DAKOTA BOARD OF MEDICINE
SENATE BILL NO. 2040**

Chair Ruby, 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 health care provider 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.

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2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

SB 2040
3/5/2025

Relating to the ordering of genetic testing by genetic counselors and examinations required for genetic counseling licensure.

2:50 p.m. Chairman M. Ruby opened the meeting.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Fegley, Hendrix, Holle, Kiefert, Rios
Members absent: Representatives Dobervich, Rohr

Discussion Topics:

- Committee action

2:50 p.m. Representative K. Anderson moved a Do Pass.

2:50 p.m. Representative Bolinske seconded the motion.

Representatives	Vote
Representative Matthew Ruby	Y
Representative Kathy Frelich	Y
Representative Karen Anderson	Y
Representative Mike Beltz	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	AB
Representative Cleyton Fegley	Y
Representative Jared Hendrix	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Nico Rios	Y
Representative Karen Rohr	AB

2:51 p.m. Motion passed 11-0-2.

Representative K. Anderson will carry the bill.

2:51 p.m. Chairman M. Ruby closed the meeting.

Jackson Toman, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2040 ([25.8000.01000](#))

Human Services Committee (Rep. M. Ruby, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2040 was placed on the Fourteenth order on the calendar.