

April 15, 2019

The Honorable Alec Garnett
Majority Leader
Colorado House of Representatives

The Honorable Chris Kennedy
Assistant Majority Leader
Colorado House of Representatives

The Honorable Patrick Neville
Minority Leader
Colorado House of Representatives

The Honorable Kevin Van Winkle
Assistant Minority Leader
Colorado House of Representatives

Sent electronically to: alec.garnett.house@state.co.us;
chris.kennedy.house@state.co.us; patrick.neville.house@state.co.us;
kevin.vanwinkle.house@state.co.us

Re: Colorado Senate Bill 133

Dear Representatives Garnett, Kennedy, Neville, and Van Winkle:

I write on behalf of the American College of Medical Genetics and Genomics (ACMG) in regard to Colorado Senate Bill 133, the “Genetic Counselor Licensing Act”. ACMG is generally supportive of legislation providing for licensure of appropriately trained, board-certified genetic counselors. However, certain bills contain language that, for reasons of patient safety, the ACMG cannot support.

ACMG is the only nationally recognized professional membership organization dedicated to improving health through the practice of medical genetics and genomics. Our membership includes over 2000 genetics professionals, nearly 80% of whom are board-certified clinical and laboratory geneticists and genetic counselors. With the rapid increase in knowledge about the relationships between genetics and disease that has developed over the past couple decades, genetic services have become increasingly more complex and require a unique combination of counseling skills and medical knowledge. Genetic services are provided by various types of health professionals, and genetic counselors have played and will continue to play a crucial role in the provision of some of these services.

We believe that licensure enhances the ability of genetic counselors to provide appropriate genetic counseling services to those who need them. Furthermore, licensure helps protect the public from the harms that would ensue from inaccurate and inappropriate counseling that could be provided by inadequately trained individuals holding themselves out to the public as genetic counselors. However,

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the scope of practice for a board-certified genetic counselor does not include the practice of medicine.

As currently written in SB 133, the definition of genetic counseling under Section 1, 12-35.3-103(6)(d) and section 5, 12-228-104(5)(d) includes “*identifying, coordinating, ordering, and explaining genetic laboratory tests and other diagnostic studies*”. Ordering genetic tests and diagnostic studies falls under the practice of medicine and is outside the scope of practice for a board-certified genetic counselor. Additionally, this directly conflicts with Section 1, 12-35.3-107(2)(a) and Section 5, 12-228-108(2)(a) which state “*nothing in this article [35.3/228] authorizes a genetic counselor to engage in the practice of medicine, as defined in section 12-36-106(1)*”. ACMG cannot support legislation that would permit genetic counselors to order genetic tests or engage in any other activities that fall within the practice of medicine.

Lastly, the exclusions under Section 1, 12-35.3-107(1) and Section 5, 12-228-108(1) do not appear to include PhD Medical Geneticists who are board-certified by the American Board of Medical Genetics and Genomics (ABMGG). Genetic counseling falls within the education, training, and scope of practice of PhD Medical Geneticists, and ACMG cannot support legislation that would not permit ABMGG-certified PhD Medical Geneticists to provide genetic counseling services.

ACMG hopes that the above concerns can be addressed so that we can support this legislation that addresses an important issue in Colorado. ACMG is available to further discuss these concerns or to provide technical assistance in refining legislative language if needed.

Sincerely,

A handwritten signature in black ink that reads "Michael S. Watson". The signature is written in a cursive style with a large initial "M".

Michael S. Watson, MS, PhD, FACMG
Executive Director