

April 15, 2019

The Honorable Kelly Hancock  
Business & Commerce Committee Chair  
Texas House of Representatives

The Honorable Robert Nichols  
Business & Commerce Committee Vice Chair  
Texas House of Representatives

Sent by facsimile to: 512-463-7003 (Rep. Hancock); 512-463-1526 (Rep. Nichols)

**Re: Texas Senate Bill 754**

Dear Senators Hancock and Nichols:

I write on behalf of the American College of Medical Genetics and Genomics (ACMG) in regard to Texas Senate Bill 754 relating to the licensing and regulation of genetic counselors. 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.

Section 508.003(b)(3) of Texas Senate Bill 754 describes a scope of practice for genetic counselors that includes ordering of genetic tests. A similar bill has also been introduced in the House (House Bill 2815). Ordering genetic tests and diagnostic studies falls under the practice of medicine and is outside the scope of practice for a genetic counselor. Further, Section 508.004 specifically states that the bill “*does not authorize the practice of medicine*” and therefore directly conflicts with Section 508.003(b)(3). 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 exemptions under Section 508.005 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 Texas. 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