

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Alabama Board of Genetic Counseling

Rule No. 405-X-1

Rule Title: Licensure

X New _____ Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? No

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date: October 20, 2020

REC'D & FILED

OCT 20 2020

(DATE FILED) LEGISLATIVE SVC AGENCY

Alabama Board of Genetic Counseling

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Genetic Counseling

RULE NO. & TITLE: 405-X-1 Licensure

INTENDED ACTION: New

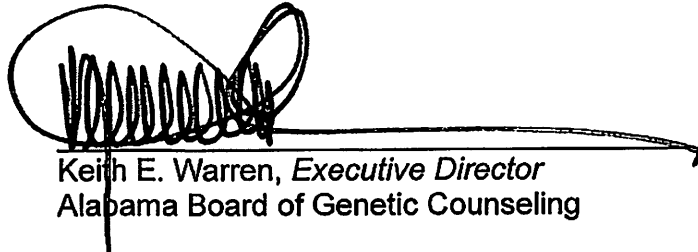
SUBSTANCE OF PROPOSED ACTION: The board proposes to determine the qualifications of licensure for genetic counseling and establish the fees to assess and collect for the profession of genetic counseling.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Friday, December 4, 2020. Comments should be directed to Keith E. Warren, *Executive Director*, 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@alstateboard.com or via telephone at 334-269-9990.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, December 4, 2020.

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, AL 36106
(334) 269-9990



Keith E. Warren, *Executive Director*
Alabama Board of Genetic Counseling

NEW
CHAPTER 405-X-1
LICENSURE

405-X-1-.01 Qualifications for Licensure

1. An individual shall be qualified for licensure as a genetic counselor and the board may issue a license if that individual:
 - a. Is at least 21 years of age;
 - b. Has submitted a completed licensure application form to the board;
 - c. Has not engaged in conduct or activities which would constitute grounds for discipline under the Alabama Genetic Counselor Act or the rules created pursuant to the Act;
 - d. Has successfully completed:
 - i. A master's degree in genetic counseling from an ACGC or ABMGG accredited training program or an equivalent program approved by the ACGC or the ABMGG; or
 - ii. A doctoral degree and an ABMGG accredited medical genetics training program or an equivalent program approved by the ABMGG;
 - e. Has successfully passed the American Board of Genetic Counseling Certification Examination, or its equivalent;
 - f. Has paid the fees established by the board;
 - g. Has met the requirements for certification set forth by the ABGC or its successor or the ABMGG or its successor, which are hereby incorporated by reference; and
 - h. Has met the requirements for licensure established by the board.

Author: Alabama Board of Genetic Counseling
Statutory Authority: Code of Ala. 1975, §34-13A-3, et seq.
History: New Rule: Filed October 20, 2020.

405-X-1-.02 Qualifications for Temporary Licensure

1. The board may issue a temporary license to an individual if that individual:
 - a. Has submitted a completed temporary licensure application to the board;
 - b. Has submitted the fees required for temporary licensure;
 - c. Has achieved active candidate status, or its equivalent, through the American Board of Genetic Counseling, or its equivalent;
 - d. Has met all of the requirements for licensure in accordance with XXX-X-1-.01 except for the examination requirement; and
 - e. Has met any other condition established by rule.
2. The holder of a temporary license shall practice only under the supervision of a qualified supervisor.
3. A temporary license shall expire at the earlier of:
 - a. 30 days after failure to pass the American Board of Genetic Counseling Certification Examination
 - b. One year from the date the board issues the temporary license;
 - c. The issuance of a regular license to the temporary license holder; or
 - d. The denial of a regular license to the temporary license holder.

4. The holder of a temporary license may not renew the temporary license but may reapply for an additional temporary license if the he or she otherwise satisfies the qualification for temporary licensure.

Author: Alabama Board of Genetic Counseling
Statutory Authority: Code of Ala. 1975, §34-13A-3, et seq.
History: New Rule: Filed October 20, 2020.

405-X-1-.03 Renewal of License

1. Licensure Periods
 - a. A license shall normally be valid for one year, expiring on October 1.
 - b. The initial licensure period may be abbreviated in order to have the expiration at the established renewal date.
2. The renewal of a license shall be accomplished prior to expiration of the license.
 - a. Failure to renew prior to the expiration date of the current license will result in an additional late fee.
 - b. The board shall not renew a license if that license has been expired for more than 60 days.
 - c. A genetic counselor shall not engage in activities that require a genetic counseling license if his or her license has expired.
3. To be eligible for renewal, the applicant shall:
 - a. Hold a valid, active Alabama license;
 - b. Submit required fee(s); and
 - c. Meet continuing education requirements.

Author: Alabama Board of Genetic Counseling
Statutory Authority: Code of Ala. 1975, §34-13A-3, et seq.
History: New Rule: Filed October 20, 2020.

405-X-1-.04 Placing License on Inactive Status

1. A licensee may elect to place his or her license on inactive status for up to, but not to exceed five (5) years, by submitting the required completed form and fees to the board.
2. An inactive licensee may not practice genetic counseling in this state and shall be excused from payment of renewal fees until he or she restores the license to active status.

Author: Alabama Board of Genetic Counseling
Statutory Authority: Code of Ala. 1975, §34-13A-3, et seq.
History: New Rule: Filed October 20, 2020.

405-X-1-.05 Restoration of Expired or Inactive License

An individual who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by:

- a. Submitting a completed restoration application to the board;
- b. Filing proof acceptable to the board of his or her fitness to have his or her license restored, including, but not limited to, sworn evidence certifying to active practice in another jurisdiction satisfactory to the board;
- c. Paying the required restoration and license fee(s); and
- d. If the individual has not maintained an active practice in another jurisdiction satisfactory to the board, the board shall determine, by its evaluation program (defined as maintaining certification through the American Board of Genetic Counseling or successful completion of the American Board of Genetic Counseling certification examination), such individual's fitness to resume active status and may require the individual to complete a period of evaluated clinical experience and successful completion of an examination.

Author: Alabama Board of Genetic Counseling

Statutory Authority: Code of Ala. 1975, §34-13A-3, et seq.

History: New Rule: Filed October 20, 2020.

405-X-1-.06 Change of Name or Contact Information

1. An applicant or licensee shall notify the Board of any requested name change. Appropriate legal documents shall be submitted prior to changing the name of the licensee.
2. An applicant or licensee shall notify the Board office of any change in the licensee's or applicant's address or contact information. The address of record is the address provided by the applicant or licensee.

Author: Alabama Board of Genetic Counseling

Statutory Authority: Code of Ala. 1975, §34-13A-3, et seq.

History: New Rule: Filed October 20, 2020.

405-X-1-.07 Schedule of Fees

- | | |
|---------------------------------------|---------------|
| 1. License Application Fee: | \$ <u>100</u> |
| 2. License Fee: | \$ <u>300</u> |
| 3. Temporary License Application Fee: | \$ <u>100</u> |
| 4. Temporary License Fee: | \$ <u>300</u> |
| 5. Late Fee for Licensure Renewal: | \$ <u>100</u> |
| 6. Restoration Application Fee: | \$ <u>250</u> |
| 7. License Renewal Fee: | \$ <u>300</u> |
| 8. Inactive License Application Fee | \$ <u>150</u> |
| 9. Verification of License Fee | \$ <u>25</u> |
| 10. | |

Note, fees for currently practicing genetic counselors for full licenses only will be offered at a discounted rate of one-half (50%) of the full cost through 10/1/2020.

Author: Alabama Board of Genetic Counseling

Statutory Authority: Code of Ala. 1975, §34-13A-3, et seq.

History: New Rule: Filed October 20, 2020.