

Adopted
AMENDMENT NO 1 TO AMENDMENT NO 1 PROPOSED TO

Senate Bill No. 2699

BY: Representative Creekmore IV

1 **AMEND** by inserting the following after line 1082 and
2 renumbering the succeeding section:

3 **"SECTION 15. Short Title.** This chapter shall be known and
4 may be cited as the Mississippi Genetic Counselor Practice Act.

5 **SECTION 16. Definitions.** For the purposes of this chapter,
6 the following terms shall have the meanings as defined in this
7 section:

8 (a) "Board" means the State Board of Health.

9 (b) "Department" means the State Department of Health.

10 (c) "Advisory Council" means the Mississippi Council of
11 Advisors in Genetic Counseling established in this chapter.

12 (d) "ABGC" means the American Board of Genetic
13 Counseling, its successor or equivalent.



(e) "ABMG" means the American Board of Medical Genetics, its successor or equivalent.

(f) "NSGC" means the National Society of Genetic Counselors, its successor or equivalent.

(g) "Active candidate status (ACS)" means a person who has met the requirements established by the ABGC to take the ABGC certification examination in general genetics and genetic counseling and has been granted this designation by ABGC.

(h) "CEU" means continuing education unit as defined by the NSGC.

(i) "Licensed genetic counselor" means a person licensed under this chapter and regulations promulgated under this chapter.

(j) "Provisionally licensed genetic counselor" means a person provisionally licensed under this chapter and regulations promulgated under this chapter.

(k) "Examination for licensure" means the ABGC or ABMG certification exam.

(l) "Genetic counseling intern" means a student enrolled in a genetic counseling program accredited by ABGC or ABMG.

(m) "License" means the document of licensure issued by the board.



37 **SECTION 17.** **Scope of practice.** The practice of "genetic
38 counseling" means the provision of services by an individual who
39 qualifies for a license under this chapter. It includes:

40 (a) Obtaining and interpreting individual, family,
41 medical, and developmental histories;

42 (b) Determining the mode of inheritance and risk of
43 transmission of genetic conditions and birth defects;

44 (c) Discussing the inheritance, features, natural
45 history, means of diagnosis, and management of these conditions;

46 (d) Identifying, ordering, coordinating, and explaining
47 the clinical implications of genetic laboratory tests and other
48 diagnostic studies;

49 (e) Assessing psychosocial factors, and recognizing
50 social, educational and cultural issues;

51 (f) Evaluating the client's or family's responses to
52 the condition or risk of recurrence and provide client-centered
53 counseling and anticipatory guidance;

54 (g) Communicating information to their clients in an
55 understandable manner;

56 (h) Facilitating informed decision making about testing
57 and management;

58 (i) Identifying and effectively using community
59 resources that provide medical, educational, financial, and
60 psychosocial support and advocacy; and



(j) Providing accurate written documentation of medical, genetic, and counseling information for families and health care professionals.

SECTION 18. Licensure required. (1) The board shall establish a licensure process no later than January 1, 2026. After the time that the licensure process is established, a license issued under this chapter is required to engage in the practice of genetic counseling. Genetic counselors who are practicing in Mississippi on July 1, 2025, are allowed to continue their current practice until the licensure process is established by the board, at such time they shall be required to seek licensure.

(2) Except in the case of a provisional genetic counselor license issued under Section 20 of this act, all licenses shall be issued for a two-year period upon the payment of the licensing fee prescribed by the board, and shall be renewed upon the filing of a renewal application and the payment of the licensing renewal fee.

(3) A genetic counselor whose license is suspended or revoked or whose surrender of license with or without prejudice has been accepted by the board shall promptly deliver the original license and current biennial registration to the board.

(4) No person shall hold himself or herself out as a genetic counselor unless he or she is licensed in accordance with this chapter. No person who is not so licensed may use, in connection with his or her name or place of business, the title "genetic



counselor", "licensed genetic counselor", "gene counselor",
"genetic consultant", "genetic associate" or any words, letters,
abbreviations or insignia indicating or implying that a person
holds a genetic counseling license.

SECTION 19. Qualifications for licensure. (1) The board
shall require the following as a minimum to qualify for genetic
counseling licensure. Each applicant under this chapter shall:

- (a) Submit an application prescribed by the board;
- (b) Pay a fee determined by the board;
- (c) Provide satisfactory evidence of having
certification as a:
 - (i) Genetic counselor by the ABGC or ABMG; or
 - (ii) Geneticist by the ABMG; and
- (d) Meet educational requirements, which shall include
a bachelor's and master's degree.

(2) An applicant who is licensed or registered as a genetic
counselor under the laws of another state, territory or
jurisdiction of the United States, which in the opinion of the
board imposes substantially the same licensing requirements as
this chapter, may be licensed under this chapter. The issuance of
a license by reciprocity to a military-trained applicant, military
spouse or person who establishes residence in this state shall be
subject to the provisions of Section 73-50-1 or 73-50-2, as
applicable.



110 (3) The board may provide for the late renewal of a license
111 upon the payment of a late fee in accordance with its rules and
112 regulations, but no such late renewal of a license may be granted
113 more than one (1) year after its expiration.

114 (4) A suspended license shall be subject to expiration and
115 may be renewed as provided in this section, but such renewal shall
116 not entitle the licensee, while the license remains suspended and
117 until it is reinstated, to engage in the licensed activity, or in
118 any other conduct or activity in violation of the order of
119 judgment by which the license was suspended. If a license revoked
120 on disciplinary grounds is reinstated, the licensee, as a
121 condition of reinstatement, shall pay the renewal fee and any late
122 fee that may be applicable.

123 (5) An individual who does not otherwise qualify for
124 licensure under this chapter but who has worked as a genetic
125 counselor for a minimum of ten (10) years before July 1, 2025, may
126 apply to the board for licensure but shall provide documentation
127 of the following:

128 (a) A master's or higher degree in genetics or related
129 field of study;

130 (b) Has never failed the ABMG/ABGC certification
131 examination;

132 (c) Three (3) letters of recommendation from at least
133 one (1) genetic counselor who qualifies for licensure under this
134 chapter, and either a clinical geneticist certified by ABMG or



135 medical geneticist certified by ABMG. All individuals submitting
136 letters of recommendation must have worked with the applicant in
137 an employment setting during the last five (5) years and can
138 attest to the applicant's competency in providing genetic
139 counseling services; and

140 (d) Attendance of NSGC/ABGC approved CEU programs
141 within the last five (5) years.

142 **SECTION 20. Provisional licensed genetic counselor.** (1)

143 The board may grant a provisional genetic counselor license to a
144 person who has been granted ACS:

145 (a) Upon filing an approved application with the board;
146 and

147 (b) Payment of a fee to be determined by the board.

148 (2) Such license shall be valid for one (1) year from the
149 date of its issue and may be renewed for an additional one (1)
150 year if an applicant fails the ABGC or ABMG certification exam.

151 (3) Such provisional license shall expire automatically upon
152 the earliest of the following:

153 (a) Issuance of a full license;

154 (b) Thirty (30) days after the applicant fails to pass
155 the certification examination; or

156 (c) The date printed on the temporary license.

157 (4) A provisionally licensed genetic counselor must work
158 under the general supervision of a licensed genetic counselor or a



licensed physician at all times during which the provisional
licensed genetic counselor performs genetic counseling.

SECTION 21. Continuing Education Requirements. (1) Each

applicant shall present satisfactory evidence when seeking license
renewal that in the period since the license was issued or last
renewed the applicant has completed twelve and five-tenths (12.5)
hours of NSGC or ABMG continuing education units (CEUs) and/or
other means as approved by NSGC for re-certification by ABGC or
ABMG every five (5) years, prorated for the length of the license.

(2) The board shall make exceptions for licensees from the
continuing education requirements, including waiver of all or a
portion of these requirements or the granting of an extension of
time in which to complete these requirements, upon a finding of
good cause following receipt of a written request for exception
based upon emergency or hardship. Emergency or hardship cases
include, but are not limited to:

(a) Long term personal illness or illness involving a
close relative or person for whom the licensee has caregiving
responsibilities;

(b) Where the licensee can demonstrate that the
required course(s) are not reasonably available; and

(c) Other demonstrated economic, technological or legal
hardships that substantially relate to the ability to perform or
complete the continuing education requirements.



183 **SECTION 22. Certain exemptions from licensure.** (1) The

184 provisions of this chapter shall not apply to the following:

185 (a) Any person licensed by the state to practice in a
186 profession other than that of genetic counseling, such as a
187 licensed physician or nurse practitioner, when acting within the
188 scope of the person's profession and doing work of a nature
189 consistent with the person's training. However, the person shall
190 not hold himself or herself out to the public as a genetic
191 counselor;

192 (b) Any person employed as a genetic counselor by the
193 federal government or an agency thereof if such person provides
194 genetic counseling services solely under the direction and control
195 of the organization by which he or she is employed; or

196 (c) A student or intern enrolled in an ABGC accredited
197 genetic counseling educational program if genetic counseling
198 services performed by the student are an integral part of the
199 student's course of study and are performed under the direct
200 supervision of a licensed genetic counselor assigned to supervise
201 the student and who is on duty and available in the assigned
202 patient care area, and if the person is designated by a title
203 "genetic counseling intern."

204 (2) A nonresident genetic counselor may practice genetic
205 counseling in Mississippi for no more than a total of five (5)
206 days per calendar year with current licensure from another state.



207 **SECTION 23. Council of Advisors in Genetic Counseling**

208 **established.** (1) (a) There is established the Mississippi
209 Council of Advisors in Genetic Counseling under the jurisdiction
210 of the board. The purpose of the council is to advise the board
211 and department on matters relating to the administration and
212 interpretation of the provisions of this chapter.

213 (b) The council shall be comprised of three (3) to five
214 (5) members, with the majority of the council being licensed
215 genetic counselors and shall include at least one (1) licensed
216 physician. If the council has five (5) members, the council may
217 include a public member.

218 (c) Each council member shall serve a term of three (3)
219 years. However, the terms of initial appointees shall be
220 staggered so that no more than one (1) member's term expires in
221 any one (1) year. No council member may be appointed to more than
222 three (3) consecutive full terms. If a vacancy occurs, the board
223 shall appoint a person to fill the unexpired term.

224 (d) A person is eligible for appointment as a public
225 member if the person or the person's spouse:

226 (i) Is not employed by and does not participate in
227 the management of an agency or business entity that provides
228 health care services or that sells, manufactures or distributes
229 health care supplies or equipment; and

230 (ii) Does not own, control or have a direct or
231 indirect interest in more than ten percent (10%) of a business



entity that provides health care services or that sells,
manufactures or distributes health care supplies or equipment.

(2) The board shall appoint the initial advisory council
members not later than September 1, 2025.

(3) The council shall meet at least annually or as deemed
necessary to conduct business. Meetings may be convened at the
call of the chairman or the written request of a majority of the
council members, or at the request of the department.

(4) A majority of the members of the council shall
constitute a quorum for all purposes.

(5) Members of the council shall receive no compensation for
services performed on the council, but may be reimbursed for
necessary and actual expenses incurred in connection with
attendance at meetings of the council or for authorized business
of the council, in accordance with Section 25-3-41, from funds
made available to the board for such purpose.

(6) It shall be a ground for removal from the council if a
member:

(a) Does not have at the time of appointment the
qualifications required for appointment to the council;

(b) Does not maintain during service on the council the
qualifications required for appointment to the council;

(c) Violates a prohibition established by this chapter;
or



(d) Fails to attend council meetings for a period of one (1) year.

SECTION 24. State Board of Health powers and duties. (1)

(a) The board shall adopt, amend, promulgate and enforce such rules, regulations and standards governing genetic counselors as may be necessary to further the accomplishment of the purpose of this chapter, and in so doing shall consider the corresponding recommendations of the advisory council.

(b) The board shall publish and disseminate to all licensees, in an appropriate manner, the licensure standards prescribed by this chapter, any amendments thereto, and such rules and regulations as the board may adopt, within sixty (60) days of their adoption.

(2) The board shall adopt a code of ethics for genetic counselors based upon the NSGC "Code of Ethics for the Profession of Genetic Counselors."

(3) The board shall issue and renew licenses to any person who meets the requirements of this chapter.

(4) (a) The board may deny or refuse to renew a license, or suspend or revoke a license, or issue orders to cease or desist from certain conduct, or issue warnings or reprimands where the licensee or applicant for license has been convicted of unlawful conduct or has demonstrated unprofessional conduct that has endangered or is likely to endanger the health, welfare or safety of the public. Such conduct includes:



(i) Obtaining a license by means of fraud,
misrepresentation or concealment of material facts;

(ii) Being guilty of unprofessional conduct as
defined by the rules and established by the board or violating the
Code of Ethics of the NSGC;

(iii) Being convicted of a crime in any court
other than a misdemeanor;

(iv) Violating any lawful order, rule or
regulation rendered or adopted by the board; or

(v) Violating any provision of this chapter.

(b) Such denial, refusal to renew, suspension,
revocation, order to cease and desist from designated conduct, or
warning or reprimand may be ordered by the board in a decision
made after a hearing in the manner provided by the rules and
regulations adopted by the board. One (1) year from the date of
the revocation of a license, application may be made to the board
for reinstatement. The board shall have discretion to accept or
reject an application for reinstatement and may, but shall not be
required to, hold a hearing to consider such reinstatement.

(5) (a) The board shall have full authority to investigate
and evaluate each and every applicant applying for a license to
practice genetic counseling, with the advice of the advisory
council.

(b) The board shall have the authority to issue
subpoenas, examine witnesses and administer oaths, and shall, at



its discretion, investigate allegations or practices violating the provisions of this chapter, and in so doing shall have power to seek injunctive relief to prohibit any person from providing services as a licensed genetic counselor without being licensed as provided under this chapter.

(6) A license certificate issued by the board is the property of the board and must be surrendered on demand.

SECTION 25. Penalties. Any person who violates any provision of this chapter shall, upon conviction thereof, be guilty of a misdemeanor and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or imprisoned in the county jail for a period not exceeding six (6) months, or both.

SECTION 26. Sections 15 through 25 of this act shall be codified as a new chapter in Title 73, Mississippi Code of 1972.

SECTION 27. (1) A task force is established to conduct a study of alternative funding programs and their effect on patient access to affordable prescription drugs in Mississippi. The task force shall consist of the members of the Mississippi Rare Disease Advisory Council or their designees.

(2) The council's physician member shall chair the task force, and the council staff shall provide the task force with administrative support.

(3) A majority of the members of the task force constitutes a quorum, and all actions of the task force shall require a majority vote of the members present and voting.



(4) The chair shall convene the first meeting by May 15, 2025. Members shall serve without compensation but may receive travel reimbursement per Section 25-3-41.

(5) The study shall assess: (a) Alternative funding programs and their effect on patient access to affordable prescription drugs; and (b) The impact of those programs on patient assistance programs for prescription medications and insurance coverage.

(6) The task force shall submit a report of its findings and recommendations by December 1, 2025, to the Governor, the Speaker of the House of Representatives, the Lieutenant Governor, the House and Senate Chairs of the Public Health Committees, and the House and Senate Chairs of the Medicaid Committees.

(7) The task force shall be dissolved upon submission of its report."

AMEND FURTHER the title by inserting the following after the semicolon on line 13:

"TO CREATE THE MISSISSIPPI GENETIC COUNSELOR PRACTICE ACT; TO PROVIDE FOR THE LICENSURE AND REGULATION OF GENETIC COUNSELORS BY THE STATE BOARD OF HEALTH; TO DEFINE CERTAIN TERMS AND DEFINE THE SCOPE OF PRACTICE OF GENETIC COUNSELING; TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2025, A LICENSE ISSUED UNDER THIS ACT IS REQUIRED TO ENGAGE IN THE PRACTICE OF GENETIC COUNSELING; TO PROHIBIT PERSONS FROM HOLDING THEMSELVES OUT AS GENETIC COUNSELORS UNLESS THEY ARE LICENSED IN ACCORDANCE WITH THIS ACT; TO PRESCRIBE THE MINIMUM QUALIFICATIONS FOR GENETIC COUNSELING LICENSURE; TO PROVIDE FOR RECIPROCAL LICENSURE FOR PERSONS WHO ARE LICENSED OR REGISTERED AS A GENETIC COUNSELOR UNDER THE LAWS OF ANOTHER STATE; TO AUTHORIZE THE BOARD TO GRANT PROVISIONAL GENETIC COUNSELOR LICENSES FOR PERSONS WHO HAVE BEEN GRANTED ACTIVE CANDIDATE STATUS; TO PRESCRIBE CONTINUING EDUCATION REQUIREMENTS FOR LICENSEES; TO PROVIDE EXEMPTIONS FROM LICENSURE FOR CERTAIN



362 PERSONS; TO CREATE THE MISSISSIPPI COUNCIL OF ADVISORS IN GENETIC
363 COUNSELING TO ADVISE THE BOARD AND DEPARTMENT ON MATTERS RELATING
364 TO THE ADMINISTRATION AND INTERPRETATION OF THE PROVISIONS OF THIS
365 ACT; TO PRESCRIBE THE POWERS AND DUTIES OF THE BOARD IN
366 ADMINISTERING THE PROVISIONS OF THIS ACT; TO AUTHORIZE THE BOARD
367 TO DENY, SUSPEND OR REVOKE LICENSES FOR CERTAIN CONDUCT; TO
368 AUTHORIZE THE BOARD TO RECEIVE AND PROCESS COMPLAINTS AND
369 INVESTIGATE ALLEGATIONS OR PRACTICES VIOLATING THE PROVISIONS OF
370 THIS ACT; TO AUTHORIZE THE BOARD TO SEEK INJUNCTIVE RELIEF TO
371 PROHIBIT PERSONS FROM PROVIDING SERVICES AS A GENETIC COUNSELOR
372 WITHOUT BEING LICENSED UNDER THIS ACT; TO PROVIDE CRIMINAL
373 PENALTIES FOR VIOLATIONS OF THIS ACT; TO CREATE A TASK FORCE TO
374 STUDY ALTERNATIVE FUNDING PROGRAMS AND THEIR EFFECT ON PATIENT
375 ACCESS TO AFFORDABLE PRESCRIPTION DRUGS IN MISSISSIPPI;"

