

# STATEMENT OF SCOPE

## GENETIC COUNSELORS AFFILIATED CREDENTIALING BOARD

Rule No.: Gen Couns 1 to 5

Relating to: Genetic Counselors

Rule Type: Both Permanent and Emergency

### 1. Finding/nature of emergency (Emergency Rule only):

Pursuant to 2021 Wisconsin Act 253 Section 24 Subsection 3, the Genetic Counselors Affiliated Credentialing Board may promulgate emergency rules to allow for the licensure, discipline, and practice of Genetic Counselors. The Board is not required to provide a finding of an emergency or provide evidence that an emergency rule is necessary for the preservation of the public health, peace, safety, or welfare.

### 2. Detailed description of the objective of the proposed rule:

The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 251.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Prior to 2021 Wisconsin Act 251, Genetic Counselors were not credentialed in the state of Wisconsin. If these new rules are not implemented, then the practice of Genetic Counseling will be solely governed by subchapter VIII of section 448, stats. This may adversely affect the ability of Genetic Counselors to fully practice in Wisconsin.

### 4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.085 (5) (b) states that “[each affiliated credentialing board] shall promulgate rules for its own guidance and for the guidance of the trader or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 448.9703 states that: “the board shall promulgate rules to do all of the following:

- (1) Adopt the National Society of Genetic Counselors code of ethics governing the professional conduct of genetic counselors.
- (2) Establish criteria for the approval of continuing education program and courses required for renewal of a genetic counselor license.
- (3) Establish requirements for an applicant seeking renewal of a genetic counselor license, including that an applicant has satisfied all of the following:
  - a. Successfully completed at least 30 hours of continuing education in the prior 2-year period.
  - b. Maintained certification from and, if applicable, achieved recertification through the American Board of Genetic Counseling.
- (4) Adopt a definition of “temporary basis” for purposes of s. 448.9701 (2) (d) and (e).”

Section 448.9705 (1) states that: “the board may, by rule, provide for a temporary license to practice genetic counseling for an applicant who satisfies the requirements of s. 448.9704 (1) other than the examination requirements under s. 448.9704 (1) (d) (2).”

2021 WI Act 251, Section 24 (3) states that “Using the procedure under s. 227.24, the genetic counselor affiliated credentialing board may promulgate rules under s. 448.9703 for the period before permanent rules take effect, but not to exceed the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) (a), (2) (b)m and (3) the genetic counselors affiliated credentialing Board is not required to provide a finding of emergency for a rule promulgated under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

120 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Genetic Counselor credential holders and those looking to enter the profession in Wisconsin.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule is likely to have minimal or no economic impact on small businesses and the state's economy as a whole.

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