

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/SB 1770 — Genetic Counseling

by Health Policy Committee and Senator Jones

The bill creates a new licensed and regulated profession, genetic counseling, within the Department of Health (DOH) in ch. 483, Part III, F.S., and authorizes the new practice act to be cited as the “Genetic Counseling Workforce Act.” The bill provides:

- Legislative intent and findings to establish a new profession and definitions for:
 - o Genetic counselor; and
 - o Scope of practice of genetic counseling.
- Requirements for initial licensure, renewal, and continuing education;
- Grounds for disciplinary action and penalties; and
- Exemptions from genetic counseling regulation for:
 - o Commissioned medical officers of the United States Armed Forces or Public Health Service while on active duty; and
 - o Health care practitioners as defined in s. 456.001, F.S., other than genetic counselors, who are practicing within the scope of their education, training, and licensure.

The bill includes a “conscience clause” allowing a genetic counselor to refuse to participate in counseling that conflicts with his or her deeply held moral or religious beliefs. The license of a genetic counselor may not be contingent upon participation in such counseling. A genetic counselor’s refusal to participate in counseling that conflicts with his or her deeply held moral or religious beliefs may also not form the basis for any claim of damages or for any disciplinary action against a genetic counselor, provided:

- The genetic counselor informs the patient that he or she will not participate in such counseling; and
- Offers to direct the patient to the online health care practitioner license verification database maintained by the DOH.

The bill amends s. 456.001, F.S., to include genetic counselors in the definition of a health care practitioner and makes a technical change to s. 20.43, F.S. Genetic Counselors are regulated by the DOH under the department’s general regulatory authority established in s. 20.43, F.S.

The bill appropriates \$41,535 in recurring and \$4,429 in nonrecurring funds from the Medical Quality Assurance Trust Fund for the purpose of implementing the act.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 36-4; House 116-1