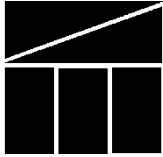


Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



Virginia Department of Planning and Budget **Economic Impact Analysis**

18 VAC 85-170 Regulations Governing the Practice of Genetic Counselors
Department of Health Professions
Town Hall Action/Stage: 5066/8308
August 1, 2018

Summary of the Proposed Amendments to Regulation

The Board of Medicine (Board) proposes to allow continuance of the temporary license status of a genetic counselor applicant when he or she passes the certification exam.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

An individual may be issued a temporary genetic counselor license when he or she is granted active candidate status by the American Board of Genetic Counseling. Under the current regulatory language, a temporary license expires when the active candidate status is terminated which occurs when the individual takes the certification exam, regardless of success or failure. As a result, the current regulation calls for termination of a temporary license when the candidate successfully passes the certification exam. The Board proposes to amend the language so that the temporary license is terminated only if the candidate fails the exam.

The proposed amendment would prevent a potential interim period for temporary license holders who have met the qualifications for permanent licensing standards, but have yet to be issued such a license by the Board. No individuals have been disadvantaged by the current regulatory language so far because licensing of genetic counselors have just started recently. The

proposed change, however, is beneficial in that it would prevent potential disruptions in employment of successful candidates as well as disruptions in care of their patients.

Businesses and Entities Affected

Currently, there are five pending applications for temporary licensure. In addition, Virginia Commonwealth University, the only genetic counseling program in Virginia, graduates approximately eight new genetic counselors per year.

Localities Particularly Affected

The proposed amendment does not affect any particular locality more than others.

Projected Impact on Employment

The proposed regulation should help prevent unnecessary disruptions in employment of successful genetic counselor candidates. Thus, a potential negative impact on employment would be avoided.

Effects on the Use and Value of Private Property

No impact on the use and value of private property is expected.

Real Estate Development Costs

No impact on real estate development costs is expected.

Small Businesses:

Definition

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

Costs and Other Effects

The proposed amendment does not create costs. In addition, it should not have other effects on small businesses as genetic counselors usually practice in large medical institutions/hospital systems.

Alternative Method that Minimizes Adverse Impact

The proposed amendment does not have adverse effects on small businesses.

Adverse Impacts:**Businesses:**

The proposed amendment should benefit large institutions/hospital systems by preventing a potential disruption in their employment of successful genetic counselor candidates.

Localities:

The proposed amendment would not adversely affect localities.

Other Entities:

The proposed amendment would not adversely affect other entities.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order Number 14 (2018), as amended. Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.