---DRAFT UNAPPROVED'---

ADVISORY BOARD ON GENETIC COUNSELING
Minutes
July 6, 2015

The Advisory Board on Genetic Counseling met on Monday, July 6, at 1:00 p.m. at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Matthew Thomas, ScM, CGC, Chair
Heather Creswick, MS, CGC, Vice-Chair
Marilyn Foust, MD
Lori Swain

MEMBERS ABSENT: John Quillin, PhD, MPH, MS

STAFF PRESENT: William L. Harp, M.D., Executive Director
Colanthia Morton Opher, Operations Manager
Elaine Yeatts, DHP Senior Policy Analyst
Bradley Verry, Licensing Specialist

GUESTS PRESENT: Sarah Krauss, McGuire Woods Consulting
Sara Heisler, Virginia Hospital & Healthcare Association
Katherine Greenier, ACLU-VA
Janice Craft-Henry, NARAL Pro-Choice Virginia

Call TO ORDER

Mr. Thomas called the meeting to order at 1:01 p.m.

EMERGENCY EGRESS PROCEDURES

Dr. Harp announced the Emergency Egress Procedures.

ROLL CALL

Roll was called. A quorum was declared.

ADOPTION OF MINUTES FROM AUGUST 26, 2014

Dr. Foust moved to adopt the minutes. The motion was seconded and carried.

ADOPTION OF AGENDA

Mr. Thomas requested that information regarding recertification for the American Board of Genetic Counseling (ABGC) be included in the agenda. Ms. Swain requested that electronic meetings and timely receipt of meeting information be included as well. Dr. Harp discussed the general timeline for receiving agendas as well as other documentation. Due to Genetic Counseling holding a Monday meeting, Board staff will make an effort to provide meeting packets sooner. Dr. Foust moved to adopt the agenda with additions. The motion was seconded and carried.

PUBLIC COMMENT ON AGENDA ITEMS

The guests at the meeting introduced themselves to the Advisory Board. No public comment was made at this time.

NEW BUSINESS

#1. Genetic Counselors' Scope of Practice

Mr. Thomas provided this information for discussion regarding agenda items 3 and 5. No action was necessary.

#2. National Society of Genetic Counselors Code of Ethics

Mr. Thomas provided this information for discussion regarding agenda items 3 and 5. The Advisory Board discussed if it would be possible to incorporate the code of ethics into the regulations. Ms. Yeatts stated that the code of ethics is aspirational and would not be enforceable. No action was necessary.

#3. Review of NOIRA Comments

Ms. Yeatts discussed with the Advisory Board the public comment regarding the initial regulations for licensure. The Advisory Board discussed the Conscience Clause and refusal of service. Ms. Yeatts explained that the Conscience Clause is part of the Code of Virginia, and cannot be changed by the Advisory Board. The Advisory Board stated that there should be a timefame that a licensee has to refuse services and direct patients to an online directory of licensed genetic counselors maintained by the Board. The Advisory Board also agreed that the genetic counselor should notify the referring physician of the refusal of service, and if no genetic counselor is available to the patient, refer the client to other professionals that can offer counseling services. No action was necessary.

#4. Selected Sections of the Code of Virginia

Ms. Yeatts discussed with the Advisory Board the sections of the Code of Virginia relating to genetic counseling. The Advisory Board discussed in detail 54.1-2957.19 D and E. Ms. Yeatts stated that unless the law is updated to include a waiver date later than July 1, 2016, the waiver most likely won't be available to anyone due to the time it will take to have final regulations. Ms. Yeatts discussed supervision

requirements with the Advisory Board regarding temporary licensure as outlined in section E. No action was necessary.

#5. Draft Regulations Governing the Practice of Genetic Counselors

Ms. Yeatts, with direction from the Advisory Board, evaluated potential regulatory requirements for the practice of genetic counseling. The draft of proposed regulations was discussed and recommendations made. Ms. Swain moved to make maintaining an ABGC certification a requirement for continuing licensure. The motion was seconded, but was not carried. Dr. Foust moved to approve in concept the proposed regulations as discussed. The motion was seconded and carried. Ms. Swain stated she would send pre-drafted proposed language to Ms. Yeatts. Ms. Yeatts stated that she would attach a copy of the draft regulations to the minutes once completed.

PUBLIC COMMENT

Mr. Thomas asked if there was any public comment at this point. Katherine Greenier, ACLU-VA, stated that her organization supports the Advisory Board and made the following comments:

1. There should be a definition of the limits of the Conscience Clause.
2. The regulations should state what a reasonable time for refusal is once a licensee invokes the Conscience Clause.
3. Referral to the online directory of licensed genetic counselors should happen immediately.
4. The regulations should include information regarding a referral if a patient does not have access to the online directory.

#6. ABGC Certification Exam Bulletin of Information

This item was for informational purposes only. No action was necessary.

#7. American Board of Genetic Counseling Recertification Information

This item was discussed in depth during the discussion of the draft regulations. No action was necessary.

#8. Election of Advisory Board Officers

Dr. Foust moved to keep the current officers of the Advisory Board. The motion was seconded and carried.

#9. Electronic Meetings

Ms. Yeatts discussed with the Advisory Board what constitutes an electronic meeting. No action was necessary.

ANNOUNCEMENTS

There were no announcements.

NEXT SCHEDULED MEETING

October 5, 2015

ADJOURNMENT

The meeting of the Advisory board was adjourned at 4:04 p.m.

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Matthew Thomas, Chair

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William L. Harp, M.D.
Executive Director

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Bradley Verry, Licensing Specialist