

**REGULATORY RESEARCH COMMITTEE  
VIRGINIA BOARD OF HEALTH PROFESSIONS  
VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS**

***INVITATION TO COMMENT ON THE NEED TO REGULATE EMERGING PROFESSIONS***

***Genetic Counselors***

Virginia Statute authorizes the Virginia Board of Health Professions to advise the Governor, the General Assembly, and Department of Health Professions' Director on matters related to the regulation or deregulation of health care professions and occupations (see §54.1-2510 of the *Code of Virginia*). In its efforts to keep abreast of new and developing health care occupations, the Board has instituted an ongoing review of emerging professions.

At its May 4, 2010 meeting, the Board received a request to conduct a sunrise review of genetic counselors and the Board decided to pursue the review. The Board is now seeking input, information and comment from the general public regarding the need to regulate genetic counselors in the Commonwealth of Virginia.

Attached to this invitation (by reference) are a draft summary of research to date, the initial Sunrise proposal from the Virginia Association of Genetic Counselors and Board of Health Professions Guidance Document 75-2: *Appropriate Criteria in Determining the Need for Regulation of Any Health Care Occupation or Professions*. Persons providing comment may benefit by reviewing these documents. They are available on the Board of Health Professions website (<http://www.dhp.virginia.gov/bhp/>). Hard copies may be requested by contacting Board staff at 804-367-4528.

The Board will be reviewing information for each group responsive to the standard evaluative criteria used to assess the need to regulate any health care occupation or professions in Virginia (i.e. "the Criteria"):

- (1) The risk of harm posed by the unregulated practice of the profession must be identifiable;
- (2) Specialized skills and training are needed which require assurance of initial and continued competency;
- (3) Autonomous practice exists for the profession which requires independent judgment and functioning;
- (4) The scope of practice is distinguishable from other regulated professions, despite possible overlapping professional duties, methods of examination, instrumentation, or therapeutic modality;
- (5) The economic cost to the public of restricting the supply of practitioners and cost of board and agency operations to regulate the profession are outweighed by the benefit to the public;
- (6) There are no alternatives to regulation which adequately protect the public; and
- (7) If regulations are required, the least burdensome level of regulation which will protect the public will be recommended.

A public hearing to receive comment on the need to regulate Genetic Counselors in Virginia will be held on January 13, 2011 at 1:00 PM at the following address:

**Virginia Department of Health Professions  
9960 Mayland Drive, 2nd Floor Conference Center, Board Room 4  
Henrico, Virginia 23233-1463**

For map and directions, the following link is provided <http://www.dhp.virginia.gov/about/directions.htm>. Documentation is available on the Board's website: <http://www.dhp.virginia.gov/bhp/>. Comments should be framed so as to respond to the issues described in the Criteria

Written comment will be accepted until 5:00 p.m. on January 28, 2011 and should be sent to Justin Crow, MPA at the Virginia Board of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233-1463. Comment may also be sent via e-mail to [Justin.Crow@dhp.virginia.gov](mailto:Justin.Crow@dhp.virginia.gov) or faxed to (804) 527-4434.