

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

***INVITATION TO COMMENT ON THE APPROPRIATE LEVEL OF REGULATION
OF GENETIC COUNSELORS IN VIRGINIA***

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 agreed to a request for sunrise review from the Virginia Association of Genetic Counselors. The study was assigned to the Board's Regulatory Research Committee. The Committee reviewed the subsequent policy research 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.

At its February 15, 2011 meeting, the Committee concluded that state regulation of Genetic Counselors is warranted and asked for further input from the public to aide in its determination of the recommended degree of regulation. A public hearing to receive comment on the appropriate level of regulation for Genetic Counselors will be held on April 5, 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>. Written comment will be accepted until 5:00 p.m. on April 22, 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 or faxed to (804) 527-4434.

To assist commenters, the following are provided on the Board's website (<http://www.dhp.virginia.gov/bhp/>): "Genetic Counselors Appropriate Level of Regulation," "Draft Summary of Research To Date," the initial sunrise study proposal from the Virginia Association of Genetic Counselors, and the Board of Health professions Guidance Document 75-2: *Appropriate Criteria in Determining the Need for Regulation of Any Health Care Occupation or Professions*. Hard copies may be requested by contacting Mr. Crow.