

**MEDICINE BOARD[653]**

**Notice of Intended Action**

**Proposing rule making related to licensure of genetic counselors  
and providing an opportunity for public comment**

The Board of Medicine hereby proposes to amend Chapter 20, “Licensure of Genetic Counselors,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code chapters 147, 148, 148H and 272C.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapter 148H.

*Purpose and Summary*

Chapter 20 establishes the requirements for licensure of genetic counselors. This proposed rule making defines the types of informal and nonpublic actions an applicant must report to the Board as part of the license application process. This proposed rule making indicates that the Board will accept a letter sent directly from the American Board of Genetic Counseling (ABGC) or the American Board of Medical Genetics and Genomics (ABMGG) to the Board as proof that an applicant has been granted active candidate status for provisional licensure. This rule making indicates that the licensure committee shall consult with an Iowa-licensed genetic counselor if the committee is unable to eliminate questions or concerns about an applicant. This rule making defines the practice of genetic counseling to include precision medicine and indicates that if an applicant has not engaged in active practice in the last three years in the United States, the Board shall consult with an Iowa-licensed genetic counselor to determine whether there is another option to demonstrate current clinical competency. This rule making creates an option for an employer-based pathway for an applicant to demonstrate current clinical competency if the applicant has not engaged in active practice in the past three years in the United States. This rule making indicates that the Board shall consult with an Iowa-licensed genetic counselor prior to denying a license.

On February 8, 2019, the Board adopted **ARC 4339C** (IAB 3/13/19) regarding the licensure of genetic counselors. After the Board adopted the rules, a representative for genetic counselors requested several minor amendments. At the April 5, 2019, meeting of the Administrative Rules Review Committee, the Board requested and was granted a 70-day delay of the effective date of the rules. These rules are necessary to implement Iowa Code chapter 148H, which became effective on January 1, 2019, and for the Board to begin licensing genetic counselors.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

This rule making will likely increase the pool of genetic counselors and increase access to genetic counseling services in Iowa. It will likely have a positive jobs impact, which is difficult to measure at this time.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 653—Chapter 3.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Board no later than 4:30 p.m. on June 25, 2019. Comments should be directed to:

Kent Nebel  
Iowa Board of Medicine  
400 S.W. Eighth Street, Suite C  
Des Moines, Iowa 50309  
Phone: 515.281.7088  
Fax: 515.242.5908  
Email: [kent.nebel@iowa.gov](mailto:kent.nebel@iowa.gov)

*Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Emergency Rule Making Adopted by Reference*

This proposed rule making is also published herein as an Adopted and Filed Emergency rule making (see **ARC 4468C**, IAB 6/5/19). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rule making, whose subject matter is hereby adopted by reference.