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I N S E N A T E

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Introduced by Sens. LAVALLE, ESPAILLAT, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to licensing of genetic counselors

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new article 142
2 to read as follows:

3 ARTICLE 142

4 GENETIC COUNSELING

5 SECTION 7050. INTRODUCTION.

6 7051. PRACTICE OF GENETIC COUNSELING AND USE OF THE TITLE
7 "GENETIC COUNSELOR".

8 7052. STATE COMMITTEE FOR GENETIC COUNSELING.

9 7053. REQUIREMENTS FOR A PROFESSIONAL LICENSE.

10 7054. EXEMPT PERSONS.

11 7055. LIMITED PERMITS.

12 7056. SPECIAL PROVISION.

13 7057. MANDATORY CONTINUING EDUCATION.

14 S 7050. INTRODUCTION. THIS ARTICLE APPLIES TO THE LICENSING OF GENETIC
15 COUNSELORS. THE GENERAL PROVISIONS FOR ALL PROFESSIONS CONTAINED IN
16 ARTICLE ONE HUNDRED THIRTY OF THIS TITLE APPLY TO THIS ARTICLE.

17 S 7051. PRACTICE OF GENETIC COUNSELING AND USE OF THE TITLE "GENETIC
18 COUNSELOR". 1. THE "PRACTICE OF GENETIC COUNSELING" SHALL MEAN THE
19 COMMUNICATION TO AND EDUCATION OF CLIENTS, THEIR FAMILIES, OTHER HEALTH
20 CARE PROFESSIONALS AND THE GENERAL PUBLIC WITH REGARD TO GENETIC TEST-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03054-03-6

1 ING, INDIVIDUAL FAMILY HISTORIES, OR OTHER GENETIC, MEDICAL, AND TECHNICAL INFORMATION ASSOCIATED WITH THE OCCURRENCE, RISK OF OCCURRENCE OR
2 RECURRENCE, OF A GENETIC OR HEREDITARY CONDITION OR BIRTH DEFECT. A
3 PRACTITIONER OF GENETIC COUNSELING SHALL SEEK TO PROMOTE DECISION-MAKING
4 FOR THEIR CLIENT WHICH RESPECTS THE CLIENT'S CULTURE, LANGUAGE, TRADITION, LIFESTYLE, RELIGION, BELIEFS AND VALUES. GENETIC COUNSELING SHALL
5 INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

6 (A) OBTAIN AND EVALUATE INDIVIDUAL, FAMILY, AND MEDICAL HISTORIES TO
7 DETERMINE GENETIC RISK FOR GENETIC/MEDICAL CONDITIONS AND DISEASES IN A
8 PATIENT, HIS OR HER OFFSPRING, AND OTHER FAMILY MEMBERS;

9 (B) DISCUSS THE FEATURES, NATURAL HISTORY, MEANS OF DIAGNOSIS, GENETIC
10 AND ENVIRONMENTAL FACTORS, AND MANAGEMENT OF RISK FOR GENETIC/MEDICAL
11 CONDITIONS AND DISEASES;

12 (C) IDENTIFY AND COORDINATE GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES AS APPROPRIATE FOR THE GENETIC ASSESSMENT;

13 (D) INTEGRATE GENETIC LABORATORY TEST RESULTS AND OTHER DIAGNOSTIC
14 STUDIES WITH PERSONAL AND FAMILY MEDICAL HISTORY TO ASSESS AND COMMUNICATE RISK FACTORS FOR GENETIC/MEDICAL CONDITIONS AND DISEASES;

15 (E) EXPLAIN TO A CLIENT THE CLINICAL IMPLICATIONS OF GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES AND THEIR RESULTS;

16 (F) EVALUATE THE CLIENT'S OR FAMILY'S RESPONSES TO THE CONDITION OR
17 RISK OF RECURRENCE AND PROVIDE CLIENT-CENTERED COUNSELING AND ANTICIPATORY GUIDANCE;

18 (G) IDENTIFY AND UTILIZE COMMUNITY RESOURCES FOR THE CLIENT THAT
19 PROVIDE MEDICAL, EDUCATIONAL, FINANCIAL, AND PSYCHOSOCIAL SUPPORT AND
20 ADVOCACY; AND

21 (H) PROVIDE WRITTEN DOCUMENTATION OF MEDICAL, GENETIC, AND COUNSELING
22 INFORMATION FOR PATIENTS AND HEALTH CARE PROFESSIONALS.

23 2. NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO AUTHORIZE A LICENSED
24 GENETIC COUNSELOR TO DIAGNOSE OR TREAT ANY GENETIC DISEASE OR MEDICAL
25 CONDITION, PRACTICE PSYCHOTHERAPY, OR PRACTICE ANY OTHER PROFESSION THAT
26 IS LICENSED UNDER THIS TITLE. THIS INCLUDES, BUT MAY NOT BE LIMITED TO,
27 THE FOLLOWING:

28 (A) PRESCRIBE OR ADMINISTER DRUGS AS DEFINED IN THIS CHAPTER OR AS A
29 TREATMENT, THERAPY, OR PROFESSIONAL SERVICES IN THE PRACTICE OF HIS OR
30 HER PROFESSION;

31 (B) USE INVASIVE PROCEDURES AS A TREATMENT, THERAPY, OR PROFESSIONAL
32 SERVICE IN THE PRACTICE OF HIS OR HER PROFESSION. FOR THE PURPOSES OF
33 THIS SUBDIVISION, "INVASIVE PROCEDURE" MEANS ANY PROCEDURE IN WHICH
34 HUMAN TISSUE IS CUT, ALTERED, OR OTHERWISE INFILTRATED BY MECHANICAL OR
35 OTHER MEANS. INVASIVE PROCEDURES SHALL INCLUDE SURGERY, LASERS, IONIZING
36 RADIATION, THERAPEUTIC ULTRASOUND, OR ELECTROCONVULSIVE THERAPY; OR

37 (C) PROVIDE PSYCHOTHERAPY AS DEFINED IN SUBDIVISION TWO OF SECTION
38 EIGHTY-FOUR HUNDRED ONE OF THIS TITLE.

39 3. IF IN THE COURSE OF PROVIDING GENETIC COUNSELING TO ANY PATIENT, A
40 GENETIC COUNSELOR FINDS ANY INDICATION OF DISEASE OR CONDITION THAT MAY
41 REQUIRE MEDICAL ASSESSMENT, THE GENETIC COUNSELOR SHALL REFER THAT
42 PATIENT TO A LICENSED PHYSICIAN, OR AS APPROPRIATE, ANOTHER HEALTH CARE
43 PROFESSIONAL LICENSED PURSUANT TO THIS TITLE.

44 4. ONLY A PERSON LICENSED UNDER THIS ARTICLE SHALL PRACTICE GENETIC
45 COUNSELING. ONLY A PERSON LICENSED UNDER THIS ARTICLE SHALL USE THE
46 TITLE "LICENSED GENETIC COUNSELOR" AND USE THE LETTERS "L.G.C." AFTER
47 HIS OR HER NAME OR ANY WORDS OR LETTERS, ABBREVIATIONS OR INSIGNIA
48 INDICATING OR IMPLYING THAT A PERSON IS LICENSED PURSUANT TO THIS ARTICLE.

49 S 7052. STATE COMMITTEE FOR GENETIC COUNSELING. 1. A STATE COMMITTEE
50 FOR GENETIC COUNSELING SHALL BE APPOINTED BY THE BOARD OF REGENTS UPON
51

1 THE RECOMMENDATION OF THE COMMISSIONER AND SHALL ASSIST ON MATTERS OF
2 LICENSURE AND PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION SIXTY-FIVE
3 HUNDRED EIGHT OF THIS TITLE. NOTWITHSTANDING THE PROVISIONS OF SECTION
4 SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE, THE COMMITTEE SHALL ASSIST THE
5 BOARD FOR MEDICINE SOLELY IN GENETIC COUNSELING MATTERS. MEMBERS OF THE
6 FIRST COMMITTEE NEED NOT BE LICENSED PRIOR TO THEIR APPOINTMENT TO SUCH
7 COMMITTEE.

8 2. THE COMMITTEE SHALL CONSIST OF SEVEN INDIVIDUALS, TO BE COMPOSED OF
9 THE FOLLOWING:

10 (A) FIVE LICENSED GENETIC COUNSELORS,
11 (B) ONE LICENSED PHYSICIAN, AND
12 (C) A PUBLIC REPRESENTATIVE AS DEFINED IN PARAGRAPH B OF SUBDIVISION
13 ONE OF SECTION SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE.

14 3. COMMITTEE MEMBERS SHALL BE APPOINTED FOR TERMS OF FIVE YEARS. THE
15 TERMS OF THE FIRST APPOINTED MEMBERS SHALL BE STAGGERED SO THAT TWO
16 MEMBERS ARE APPOINTED FOR THREE YEARS, THREE MEMBERS ARE APPOINTED FOR
17 FOUR YEARS AND TWO MEMBERS ARE APPOINTED FOR FIVE YEARS.

18 S 7053. REQUIREMENTS FOR A PROFESSIONAL LICENSE. TO QUALIFY FOR A
19 LICENSE AS A "LICENSED GENETIC COUNSELOR", AN APPLICANT SHALL FULFILL
20 THE FOLLOWING REQUIREMENTS:

21 1. APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

22 2. EDUCATION: HAVE RECEIVED A MASTER'S OR DOCTORAL DEGREE IN GENETIC
23 COUNSELING FROM A PROGRAM REGISTERED BY THE DEPARTMENT, OR DETERMINED BY
24 THE DEPARTMENT TO BE THE SUBSTANTIAL EQUIVALENT, IN ACCORDANCE WITH THE
25 COMMISSIONER'S REGULATIONS. APPROPRIATE COURSEWORK SHALL BE DETERMINED
26 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS ON RECOMMENDATIONS OF
27 THE STATE COMMITTEE FOR GENETIC COUNSELING;

28 3. EXPERIENCE: EXPERIENCE ACCEPTABLE TO THE DEPARTMENT;

29 4. EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE COMMITTEE AND
30 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

31 5. AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;

32 6. CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-
33 MENT;

34 7. FEES: PAY A FEE OF THREE HUNDRED DOLLARS TO THE DEPARTMENT FOR AN
35 INITIAL LICENSE AND TWO HUNDRED DOLLARS FOR EACH SUBSEQUENT TRIENNIAL
36 RE-REGISTRATION OF A LICENSE.

37 S 7054. EXEMPT PERSONS. SO LONG AS THE PERSON DOES NOT HOLD HIM OR
38 HERSELF OUT TO THE PUBLIC AS A GENETIC COUNSELOR, THE PROVISIONS OF THIS
39 ARTICLE SHALL NOT APPLY TO:

40 1. A LICENSED HEALTH CARE PROFESSIONAL LICENSED UNDER THIS TITLE WHO
41 IS PRACTICING WITHIN THE SCOPE OF PRACTICE AS DEFINED IN THIS TITLE;

42 2. A STUDENT OR INTERN ENROLLED IN A MASTER'S OR HIGHER PROGRAM REGIS-
43 TERED OR APPROVED BY THE DEPARTMENT WHERE THE STUDENT OR INTERN IS
44 ENGAGED IN ACTIVITIES CONSTITUTING THE PRACTICE OF A PROFESSION AS
45 DEFINED IN THIS TITLE, WHOSE SCOPE OF PRACTICE INCLUDES GENETIC COUN-
46 SELING; PROVIDED, HOWEVER, SUCH ACTIVITIES SHALL BE PART OF A SUPERVISED
47 TRAINING PROGRAM UNDER A LICENSED GENETIC COUNSELOR OR A HEALTH CARE
48 PROFESSIONAL LICENSED PURSUANT TO THIS TITLE IN ACCORDANCE WITH THE
49 COMMISSIONER'S REGULATIONS; AND

50 3. AN EMPLOYEE OF THE STATE DEPARTMENT OF HEALTH IN THE PROVISION OF
51 EDUCATION REGARDING CONDITIONS INCLUDED ON THE NEWBORN SCREENING PANELS.
52 NOTHING IN THIS ARTICLE SHALL BE CONSTRUED AS PROHIBITING COUNSELING
53 SERVICES PROVIDED BY AN ATTORNEY, RAPE CRISIS COUNSELOR, OR PASTORAL
54 COUNSELING BY A CLERGY MEMBER WORKING WITHIN HIS OR HER MINISTERIAL
55 CHARGE OF OBLIGATION.

1 S 7055. LIMITED PERMITS. LIMITED PERMITS MAY BE ISSUED BY THE DEPART-
2 MENT TO AUTHORIZE THE PRACTICE OF THE PROFESSION UNDER A LICENSED GENET-
3 IC COUNSELOR OR PHYSICIAN PURSUANT TO THE COMMISSIONER'S REGULATIONS:

4 1. THE DEPARTMENT MAY ISSUE A LIMITED PERMIT TO AN APPLICANT WHO MEETS
5 ALL QUALIFICATIONS FOR LICENSURE AS A GENETIC COUNSELOR, EXCEPT THOSE
6 RELATING TO THE EXAMINATION, IN ACCORDANCE WITH THE COMMISSIONER'S REGU-
7 LATIONS.

8 2. LIMITED PERMITS SHALL BE FOR ONE YEAR. SUCH PERMITS MAY BE EXTENDED
9 AT THE DISCRETION OF THE DEPARTMENT, FOR ONE ADDITIONAL YEAR.

10 3. THE FEE FOR EACH LIMITED PERMIT AND FOR EACH RENEWAL SHALL BE
11 SEVENTY DOLLARS.

12 S 7056. SPECIAL PROVISION. 1. ANY PERSON WHO OBTAINED A MASTER'S OR
13 DOCTORAL DEGREE OF GENETIC COUNSELING SATISFACTORY TO THE DEPARTMENT
14 PRIOR TO TWO THOUSAND EIGHT, WHO HAS FIFTEEN YEARS POST-GRADUATE GENETIC
15 COUNSELOR EMPLOYMENT AND MEETS THE REQUIREMENTS FOR A LICENSE PURSUANT
16 TO THIS ARTICLE, EXCEPT FOR EXAMINATION, AND WHO FILES AN APPLICATION
17 AND FEE WITH THE DEPARTMENT WITHIN ONE YEAR OF THE EFFECTIVE DATE OF
18 THIS SECTION SHALL BE LICENSED AS A LICENSED GENETIC COUNSELOR.

19 2. THIS ARTICLE SHALL NOT PROHIBIT THE PROVISION OF GENETIC COUNSELING
20 SERVICES AS DEFINED IN SUBDIVISION ONE OF SECTION SEVEN THOUSAND FIFTY-
21 ONE OF THIS ARTICLE BY EMPLOYEES OR AGENTS OF A CORPORATION PROVIDING
22 GENETIC COUNSELING SERVICES IN THIS STATE; PROVIDED, HOWEVER, THAT SUCH
23 SERVICES ARE PROVIDED BY A LICENSED GENETIC COUNSELOR OR PERSON EXEMPT
24 UNDER THIS ARTICLE AND A VIOLATION OF THIS PROVISION SHALL BE A CLASS A
25 MISDEMEANOR. PROVIDED FURTHER, THAT ANY SUCH CORPORATION MUST:

26 (A) HAVE REGISTERED WITH THE DEPARTMENT BEFORE PROVIDING ANY SUCH
27 SERVICES IN THIS STATE BY PROVIDING THEIR NAME AND ADDRESS FOR SERVICE
28 OF PROCESS;

29 (B) SUBMIT AND, AS NECESSARY, REVISE A CURRENT LIST OF GENETIC COUNSE-
30 LORS LICENSED PURSUANT TO THIS ARTICLE WHO ARE EMPLOYEES OR AGENTS OF
31 THE CORPORATION AND ARE PROVIDING SUCH SERVICES IN THE STATE; AND

32 (C) HAVE IN EFFECT A REQUIREMENT THAT ALL PROFESSIONAL JUDGMENTS,
33 DECISIONS, IDENTIFICATION OR COORDINATION OF GENETIC TESTING, OR OTHER
34 PROFESSIONAL INTERACTIONS WITH CLIENTS OR PATIENTS BE MADE BASED UPON
35 THE BEST INTERESTS OF SUCH CLIENT OR PATIENT.

36 3. ANY PERSON OR CORPORATION OFFERING THE SERVICES OF GENETIC COUN-
37 SELING OF A CLIENT IN THIS STATE SHALL EMPLOY, FOR THE PURPOSE OF
38 PROVIDING SUCH SERVICES, ONLY PERSONS LICENSED OR EXEMPT UNDER THIS
39 ARTICLE AND A VIOLATION OF THIS PROVISION SHALL BE A CLASS A MISDEMEA-
40 NOR.

41 S 7057. MANDATORY CONTINUING EDUCATION. 1. A. EACH LICENSED GENETIC
42 COUNSELOR REQUIRED UNDER THIS ARTICLE TO REGISTER TRIENNIALLY WITH THE
43 DEPARTMENT TO PRACTICE IN THE STATE, SHALL COMPLY WITH PROVISIONS OF THE
44 MANDATORY CONTINUING EDUCATION REQUIREMENTS PRESCRIBED IN SUBDIVISION
45 TWO OF THIS SECTION EXCEPT AS SET FORTH IN PARAGRAPHS B AND C OF THIS
46 SUBDIVISION. EACH GENETIC COUNSELOR SHALL BE EXEMPT FROM THE MANDATORY
47 CONTINUING EDUCATION REQUIREMENTS FOR THE TRIENNIAL REGISTRATION PERIOD
48 DURING WHICH THEY ARE FIRST LICENSED. LICENSED GENETIC COUNSELORS WHO
49 DO NOT SATISFY THE MANDATORY CONTINUING EDUCATION REQUIREMENTS SHALL NOT
50 PRACTICE UNTIL THEY HAVE MET SUCH REQUIREMENTS, AND THEY HAVE BEEN
51 ISSUED A REGISTRATION CERTIFICATE, EXCEPT THAT A LICENSED GENETIC COUN-
52 SELOR MAY PRACTICE WITHOUT HAVING MET SUCH REQUIREMENTS IF HE OR SHE IS
53 ISSUED A CONDITIONAL REGISTRATION CERTIFICATE PURSUANT TO SUBDIVISION
54 THREE OF THIS SECTION.

55 B. IN ACCORD WITH THE INTENT OF THIS SECTION, ADJUSTMENT TO THE MANDA-
56 TORY CONTINUING EDUCATION REQUIREMENT MAY BE GRANTED BY THE DEPARTMENT

1 FOR REASONS OF HEALTH CERTIFIED BY AN APPROPRIATE HEALTH CARE PROFES-
2 SIONAL, FOR EXTENDED ACTIVE DUTY WITH THE ARMED FORCES OF THE UNITED
3 STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO THE DEPARTMENT WHICH MAY
4 PREVENT COMPLIANCE.

5 C. A LICENSED GENETIC COUNSELOR NOT ENGAGED IN PRACTICE AS DETERMINED
6 BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE MANDATORY CONTINUING EDUCA-
7 TION REQUIREMENT UPON THE FILING OF A STATEMENT WITH THE DEPARTMENT
8 DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS TO THE PRACTICE OF
9 GENETIC COUNSELING DURING THE TRIENNIAL REGISTRATION PERIOD SHALL NOTIFY
10 THE DEPARTMENT PRIOR TO REENTERING THE PROFESSION AND SHALL MEET SUCH
11 MANDATORY EDUCATION REQUIREMENTS AS SHALL BE PRESCRIBED BY REGULATIONS
12 OF THE COMMISSIONER.

13 2. DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGIS-
14 TRATION AS A LICENSED GENETIC COUNSELOR SHALL COMPLETE FORMAL CONTINUING
15 EDUCATION AS SET FORTH IN STANDARDS PRESCRIBED BY REGULATIONS OF THE
16 COMMISSIONER. ANY LICENSED GENETIC COUNSELOR WHOSE FIRST REGISTRATION
17 DATE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION OCCURS LESS THAN THREE
18 YEARS FROM SUCH EFFECTIVE DATE, SHALL COMPLETE CONTINUING EDUCATION
19 HOURS ON A PRORATED BASIS PURSUANT TO REGULATIONS OF THE COMMISSIONER. A
20 LICENSEE WHO HAS NOT SATISFIED THE MANDATORY CONTINUING EDUCATION
21 REQUIREMENT SHALL NOT BE ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY
22 THE DEPARTMENT AND SHALL NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL
23 REGISTRATION IS ISSUED AS PROVIDED FOR IN SUBDIVISION THREE OF THIS
24 SECTION. CONTINUING EDUCATION HOURS TAKEN DURING ONE TRIENNIUM MAY NOT
25 BE TRANSFERRED TO THE SUBSEQUENT TRIENNIUM.

26 3. THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A CONDITIONAL REGIS-
27 TRATION TO A LICENSEE WHO FAILS TO MEET THE CONTINUING EDUCATION
28 REQUIREMENTS ESTABLISHED IN SUBDIVISION TWO OF THIS SECTION BUT WHO
29 AGREES TO MAKE UP ANY DEFICIENCIES AND COMPLETE ANY ADDITIONAL EDUCATION
30 WHICH THE DEPARTMENT MAY REQUIRE. THE FEE FOR SUCH A CONDITIONAL REGIS-
31 TRATION SHALL BE THE SAME AS, AND IN ADDITION TO, THE FEE FOR THE TRIEN-
32 NIAL REGISTRATION. THE DURATION OF SUCH CONDITIONAL REGISTRATION SHALL
33 BE DETERMINED BY THE DEPARTMENT BUT SHALL NOT EXCEED ONE YEAR. ANY
34 LICENSEE WHO IS NOTIFIED OF THE DENIAL OF REGISTRATION FOR FAILURE TO
35 SUBMIT EVIDENCE, SATISFACTORY TO THE DEPARTMENT, OF REQUIRED CONTINUING
36 EDUCATION AND WHO PRACTICES GENETIC COUNSELING WITHOUT SUCH REGISTRA-
37 TION, MAY BE SUBJECT TO THE DISCIPLINARY PROCEEDINGS PURSUANT TO SECTION
38 SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

39 4. FOR THE PURPOSES OF THIS SECTION, "ACCEPTABLE FORMAL CONTINUING
40 EDUCATION" SHALL MEAN FORMAL COURSES OF LEARNING WHICH CONTRIBUTE TO
41 PROFESSIONAL PRACTICE IN GENETIC COUNSELING AND WHICH MEET THE STANDARDS
42 PRESCRIBED BY REGULATIONS OF THE COMMISSIONER. THE DEPARTMENT MAY, IN
43 ITS DISCRETION AND AS NEEDED TO CONTRIBUTE TO THE HEALTH AND WELFARE OF
44 THE PUBLIC, REQUIRE THE COMPLETION OF CONTINUING EDUCATION COURSES IN
45 SPECIFIC SUBJECTS.

46 5. LICENSED GENETIC COUNSELORS SHALL MAINTAIN ADEQUATE DOCUMENTATION
47 OF COMPLETION OF ACCEPTABLE FORMAL CONTINUING EDUCATION AND SHALL
48 PROVIDE SUCH DOCUMENTATION AT THE REQUEST OF THE DEPARTMENT. FAILURE TO
49 PROVIDE SUCH DOCUMENTATION UPON THE REQUEST OF THE DEPARTMENT SHALL BE
50 AN ACT OF MISCONDUCT SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO
51 SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

52 THE MANDATORY CONTINUING EDUCATION FEE SHALL BE FORTY-FIVE DOLLARS,
53 SHALL BE PAYABLE ON OR BEFORE THE FIRST DAY OF EACH TRIENNIAL REGISTRA-
54 TION PERIOD, AND SHALL BE PAID IN ADDITION TO THE TRIENNIAL REGISTRATION
55 FEE REQUIRED BY SECTION SEVEN THOUSAND FIFTY-THREE OF THIS ARTICLE.

1 S 2. Severability. If any clause, sentence, paragraph, section or part
2 of this act shall be adjudged by any court of competent jurisdiction to
3 be invalid and after exhaustion of all further judicial review, the
4 judgment shall not affect, impair or invalidate the remainder thereof,
5 but shall be confined in its operation to the clause, sentence, para-
6 graph, section or part of this act directly involved in the controversy
7 in which the judgment shall have been rendered.

8 S 3. This act shall take effect two years after it shall have become a
9 law; provided, however, that the state education department is author-
10 ized to promulgate any and all rules and regulations and take any other
11 measure necessary to implement this act, including, but not limited to,
12 the appointment of committee members pursuant to section 7052 of the
13 education law, as added by section one of this act on or before such
14 effective date, and provided further that section 7057 of the education
15 law, as added by section one of this act shall take effect three years
16 after the effective date of this act.