OFFICE OF THE SECRETARY OF STATE
SHEMIA FAGAN
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

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HLO 2-2021
CHAPTER 331
OREGON HEALTH AUTHORITY
HEALTH LICENSING OFFICE

FILING CAPTION: Rules outline the Genetic Counseling Program created by 2021 House Bill 2619 for licensing purposes.

EFFECTIVE DATE: 12/01/2021

AGENCY APPROVED DATE: 09/29/2021

CONTACT: Anne Thompson
503-509-4775
anne.p.thompson@dhsoha.state.or.us

1430 Tandem Ave. NE Suite 180
Salem,OR 97301

Filed By:
Anne Thompson
Rules Coordinator

RULES:
331-250-0010, 331-250-0020, 331-255-0010, 331-255-0020, 331-255-0030, 331-255-0040, 331-260-0010

ADOPT: 331-250-0010

RULE TITLE: Definitions

NOTICE FILED DATE: 08/17/2021

RULE SUMMARY: Definitions used in the Genetic Counseling Program.

RULE TEXT:
The following definitions apply to OAR 331-200-0010 to OAR 331-210-0010:
(1) “ABGC” means the American Board of Genetic Counseling.
(2) “ABMGG” means the American Board of Medical Genetics and Genomics.
(3) “ACGC” Means the Accreditation Council for Genetic Counseling.
(4) “Genetic counseling” has the meaning set forth in House Bill 2619 (2021).
(5) “Good standing” means no unresolved or outstanding disciplinary actions.
(6) “Licensed genetic counselor” means a licensed genetic counselor as defined in House Bill 2619 (2021).
(7) “Office” means the Health Licensing Office.

STATUTORY/OTHER AUTHORITY: 2021 House Bill 2619

STATUTES/OTHER IMPLEMENTED: 2021 House Bill 2619

ADOPT: 331-250-0020

RULE TITLE: Fees

NOTICE FILED DATE: 08/17/2021

RULE SUMMARY: Fees for the application, licensing and renewal of genetic counseling authorizations.

RULE TEXT:

(1) An applicant or license holder is subject to the provisions of OAR 331-010-0010 and OAR 331-010-0020 regarding the payment of fees, penalties, and charges.

(2) Fees established by the Office pursuant to ORS 676.576 are:

(a) Application:

(A) License: $150.

(B) Temporary license: $150

(b) Original issuance:

(A) License: $50 – valid for one year.

(B) Temporary license: $50 – valid for one year.

(c) Renewal of license:

(A) License: $50 – valid for one year.

(B) Temporary license: $50 – valid for one year.

(d) Replacement: $25.

(e) Late renewal of authorization fee: $40 for each year of inactive status up to three years.

(f) Administrative fee: $25.

(g) Affidavit of licensure, as defined in OAR 331-030-0040: $50.

STATUTORY/OTHER AUTHORITY: 2021 House Bill 2619

STATUTES/OTHER IMPLEMENTED: 2021 House Bill 2619

ADOPT: 331-255-0010

RULE TITLE: Application Requirements for Initial Licensure as a Licensed Genetic Counselor

NOTICE FILED DATE: 08/17/2021

RULE SUMMARY: Application requirements for initial licensure of genetic counselors.

RULE TEXT:

An individual applying for initial licensure as a licensed genetic counselor must:

(1) Meet the requirements of OAR 331 Division 30.

(2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.

(3) Be at least 18 years old.

(4) Arrange for official documentation to be mailed to the Office from the certifying organization proving that the applicant has an active credential specific to genetic counseling from the ABGC or the ABMGG.

(5) Pay all licensing fees.

STATUTORY/OTHER AUTHORITY: 2021 House Bill 2619

STATUTES/OTHER IMPLEMENTED: 2021 House Bill 2619

ADOPT: 331-255-0020

RULE TITLE: Temporary License - Licensed Genetic Counselor Temporary License

NOTICE FILED DATE: 08/17/2021

RULE SUMMARY: Rules outline the temporary genetic counselor license.

RULE TEXT:

(1) A licensed genetic counselor temporary license authorizes a holder to practice genetic counseling.

(2) A licensed genetic counselor temporary license is valid for one year and may be renewed once, resulting in the temporary license being valid for a two-year maximum duration, in any of the following circumstances:

(a) The temporary license holder submits to the HLO satisfactory proof that the holder has not yet passed the certification examination and that there is no available certification examination before the temporary license becomes inactive.

(b) The temporary license holder submits to the HLO satisfactory proof of extenuating circumstances that impact the holder's ability to take the certification examination, including, but not limited to, a medical condition, automobile accident, catastrophe, natural disaster, or epidemic

STATUTORY/OTHER AUTHORITY: 2021 House Bill 2619

STATUTES/OTHER IMPLEMENTED: 2021 House Bill 2619

ADOPT: 331-255-0030

RULE TITLE: Application Requirements for a Temporary Licensed Genetic Counselor License

NOTICE FILED DATE: 08/17/2021

RULE SUMMARY: Application requirements for a temporary genetic counselor license.

RULE TEXT:

To qualify for a temporary license, the applicant must:

(1) Meet the requirements of OAR 331 Division 30.

(2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.

(3) Submit official transcripts from an ACGC-accredited program.

(4) Have the ABGC send verification that the applicant is in active candidate status; and

(5) Be at least 18 years old.

(6) Pay all licensing fees.

STATUTORY/OTHER AUTHORITY: 2021 House Bill 2619

STATUTES/OTHER IMPLEMENTED: 2021 House Bill 2619

ADOPT: 331-255-0040

RULE TITLE: Licensure Issuance and Renewal

NOTICE FILED DATE: 08/17/2021

RULE SUMMARY: Genetic counselor license issuance and renewal

RULE TEXT:

(1) Licensure and renewal: A license is subject to the provisions of OAR Chapter 331, Division 30 regarding the issuance and renewal of a license, authorization to practice, identification, and duplicate licenses.

(2) License renewal: To avoid late fees, a license must be renewed before the license becomes inactive as described in section (3) of this rule. To renew a license, the licensee must:

(a) Submit a renewal application form.

(b) Pay the renewal fee pursuant to OAR 331-200-0020.

(3) Inactive license renewal: A license becomes inactive if it is not renewed before its “active through” date. A license may be inactive for up to three years, but an inactive license does not authorize its holder to practice genetic counseling or use the title or designation of “Licensed Genetic Counselor.” To renew an inactive license, the licensee must:

(a) Submit a renewal application form; and

(b) Pay the delinquency and renewal fees pursuant to 331-200-0020.

(4) Expired license: A license that has been inactive for more than three years is expired, and the licensee must reapply for licensure and meet the requirements listed in OAR 331-205-0000.

STATUTORY/OTHER AUTHORITY: 2021 House Bill 2619

STATUTES/OTHER IMPLEMENTED: 2021 House Bill 2619

ADOPT: 331-260-0010

RULE TITLE: Guidelines for Licensed Genetic Counselors

NOTICE FILED DATE: 08/17/2021

RULE SUMMARY: Guidelines for genetic counselors

RULE TEXT:

(1) When appropriate and in the manner consistent with the practice of patient-and family-centered care, a licensed genetic counselor shall provide to a patient, or a patient's family, contact information for support programs and services related to the patient's genetic or medical condition or disease, including information for hotlines, resource centers, local and national organizations, and other educational programs.

(2) A licensed genetic counselor must not diagnose, test for, or treat a genetic or medical condition or disease.

STATUTORY/OTHER AUTHORITY: 2021 House Bill 2619

STATUTES/OTHER IMPLEMENTED: 2021 House Bill 2619