



**Title 63. Public Health and Safety**

**Oklahoma Statutes Citationized**

**Title 63. Public Health and Safety**

**Chapter 1 - Oklahoma Public Health Code**

**Genetic Counseling Licensure Act**

**Article Article 5 - Prevention and Control of Disease**

**Section 1-561 - Short Title**

Cite as: 63 O.S. § 1-561 (OSCN 2024), Genetic Counseling Licensure Act

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This act shall be known and may be cited as the "Genetic Counseling Licensure Act".

***Historical Data***

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Laws 2006, SB 990, c. 174, § 1, eff. November 1, 2006.

***Citationizer<sup>®</sup> Summary of Documents Citing This Document***

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**Section 1-562 - Definitions**

Cite as: 63 O.S. § 1-562 (OSCN 2024), Genetic Counseling Licensure Act

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As used in the Genetic Counseling Licensure Act:

1. "ABGC" means the American Board of Genetic Counseling;
2. "ABMG" means the American Board of Medical Genetics;
3. "General supervision" means the process of a supervisor, whether licensed as a genetic counselor or a physician, having overall responsibility to assess the work of a supervisee, including regular meetings and chart reviews. An annual supervision contract signed by the supervisor and supervisee shall be on file with both parties; and
4. "Genetic counseling" means a communication process, conducted by one or more appropriately trained individuals, that includes:
  - a. estimating the likelihood of occurrence or recurrence of a birth defect or of any potentially inherited or genetically influenced condition. Such assessment may involve:
    - (1) obtaining and analyzing a complete health history of an individual and the individual's family,
    - (2) review of pertinent medical records,
    - (3) evaluation of the risks from exposure to possible mutagens or teratogens, or
    - (4) discussion of genetic testing or other valuations to diagnose a condition or determine the carrier status of one or more family members,
  - b. helping an individual, the individual's family, a health care provider, or the public to:
    - (1) appreciate the medical, psychological and social implications of a disorder including its features, variability, usual course, and management options,
    - (2) learn how genetic factors contribute to the disorder and affect the chance for recurrence of the condition in other family members,
    - (3) understand available options for coping with, preventing or reducing the chance of occurrence or recurrence of a condition,
    - (4) select the most appropriate, accurate and cost-effective methods of diagnosis, or
    - (5) understand genetic or prenatal tests, coordinate testing for inherited disorders, and interpret genetic test results, and
  - c. facilitating an individual's or family's:
    - (1) exploration of the perception of risk and burden associated with a disorder,
    - (2) decision-making regarding testing or medical interventions consistent with the individual's or family's beliefs, goals, needs, resources, culture and ethical or moral views, or
    - (3) adjustment and adaptation to the condition or the individual's or family's genetic risk by addressing needs for psychological, social and medical support.

Laws 2006, SB 990, c. 174, § 2, eff. November 1, 2006.

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**Section 1-563 - License Required to Practice Genetic Counseling**

Cite as: 63 O.S. § 1-563 (OSCN 2024), Genetic Counseling Licensure Act

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A. Except as provided in subsection C of this section, any person engaging in the practice of genetic counseling shall obtain a license to do so as hereinafter provided. A license to practice genetic counseling shall be issued to any person who qualifies pursuant to the provisions of this act.

B. Any person who does not have a valid license or temporary license as a genetic counselor shall not use in connection with his or her name or place of business the title "genetic counselor", "licensed genetic counselor", "gene counselor", "genetic consultant", "genetic associate", or any words, letters, abbreviations or insignia indicating or implying that a person has met the qualifications for or has the license issued pursuant to the provisions of this act.

C. The provisions of this section shall not apply to a person engaging in the practice of genetic counseling prior to the effective date of this act.

***Historical Data***

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Laws 2006, SB 990, c. 174, § 3, eff. November 1, 2006.

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**Section 1-564 - Qualifications for License - Temporary License**

Cite as: 63 O.S. § 1-564 (OSCN 2024), Genetic Counseling Licensure Act

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A. An applicant for licensure as a genetic counselor shall:

1. Submit an application on forms provided by the State Department of Health;
2. Pay a fee, not to exceed Three Hundred Dollars (\$300.00), as determined by the State Board of Health;
3. Provide satisfactory evidence of having earned:
  - a. a master's degree from a genetic counseling training program that is accredited by the American Board of Genetic Counseling or an equivalent entity as determined by the ABGC, or
  - b. a doctoral degree from a medical genetics training program accredited by the American Board of Medical Genetics or an equivalent as determined by the ABMG; and
4. Meet the examination requirement for certification as:
  - a. a genetic counselor by the ABGC or the ABMG, or
  - b. a medical geneticist by the ABMG.

B. A temporary license may be issued to an applicant who meets all of the requirements for licensure except the examination provided for in paragraph 4 of subsection A of this section.

***Historical Data***

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Laws 2006, SB 990, c. 174, § 4, eff. November 1, 2006; Amended by Laws 2013, HB 1467, c. 229, § 58, eff. November 1, 2013  
(superseded document available).

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**Section 1-565 - Temporary Licenses**

Cite as: 63 O.S. § 1-565 (OSCN 2024), Genetic Counseling Licensure Act

The requirements for temporary licensure shall provide that:

1. An applicant shall meet all of the qualifications for licensure as established in the Genetic Counseling Licensure Act with the exception of certification by the American Board of Medical Genetics or the American Board of Genetic Counseling, and have active candidate status conferred by the ABMG or ABGC;
2. An individual practicing under the authority of a temporary license must practice under the general supervision of a licensed genetic counselor, or a physician licensed to practice in this state, with current ABMG certification in clinical genetics;
3. A temporary licensee shall apply for and take the next available examination. If an applicant fails the first sitting of the ABGC or ABMG certification examination, the applicant may reapply for a second temporary license;
4. A temporary license shall not be issued to an applicant who has failed the ABGC or ABMG certification examination more than once; and
5. A temporary license shall expire upon the earliest of the following:
  - a. issuance of full licensure,
  - b. thirty (30) days after failing the certification examination, or
  - c. the date printed on the temporary license.

**Historical Data**

Laws 2006, SB 990, c. 174, § 5, eff. November 1, 2006.

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**Section 1-566 - Lawful Practice of Genetic Counseling Without License**

Cite as: 63 O.S. § 1-566 (OSCN 2024), Genetic Counseling Licensure Act

The following persons may engage in the practice of genetic counseling, subject to the stated circumstances and limitations, without being licensed under the provisions of this act:

1. Professionals licensed, certified or registered in this state other than as a genetic counselor who engage in the competent practice of that occupation or profession without additional licensure under this title. The individual may not use the title "genetic counselor" or any other title tending to indicate that the individual is a genetic counselor unless licensed as such in this state; provided, however, this provision shall not apply to physicians licensed in this state who have appropriate training in medical genetics;
2. A student or intern from a recognized school, engaged in activities constituting the practice of a regulated occupation or profession; provided, however, such activities shall be a defined part of a supervised training program;
3. An individual trained as a genetic counselor, who is reapplying for the American Board of Genetic Counseling certification examination and gathering logbook cases under supervision in an approved genetic counseling training site;
4. An individual trained as a Ph.D. medical geneticist, who is reapplying for the American Board of Medical Genetics certification examination and is gathering logbook cases under a supervisor identified in the training program's ABMG accreditation documents as a member of the training faculty; and
5. A consultant, including activities and services of visiting ABGC- or ABMG-certified genetic counselors from outside this state, or the use of occasional services of organizations from outside the state employing ABGC- or ABMG-certified genetic counselors.

**Historical Data**

Laws 2006, SB 990, c. 174, § 6, eff. November 1, 2006.

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**Section 1-567 - Continuing Education Requirements for Genetic Counselors**

Cite as: 63 O.S. § 1-567 (OSCN 2024), Genetic Counseling Licensure Act

A. The State Board of Health, giving consideration to the recommendations of the Infant and Children's Health Advisory Council created in Section 44 of this act, shall establish continuing education requirements for genetic counselors as a condition of renewal or reinstatement of a license.

B. A licensee shall be responsible for maintaining competent records of completed qualified professional education for a period of four (4) years after close of the two-year period to which the records pertain. It shall be the responsibility of the licensee to maintain such information with respect to qualified professional education to demonstrate that it meets the requirements under this section.

C. A licensee who documents that he or she is subjected to circumstances which prevent the licensee from meeting the continuing professional education requirements established under this section may apply to be excused from the requirement for a period of up to five (5) years. It shall be the responsibility of the licensee to document the reasons and justify why the requirement could not be met.

Laws 2006, SB 990, c. 174, § 7, eff. November 1, 2006; Amended by Laws 2013, HB 1467, c. 229, § 59, eff. November 1, 2013 ([superseded document available](#)).

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**Section 1-568 - Counseling Concerning Abortion - Accreditation of Genetic Counseling Training Programs - Alternative Examination**

Cite as: 63 O.S. § 1-568 (OSCN 2024), Genetic Counseling Licensure Act

A. Nothing in the Genetic Counseling Licensure Act may be construed to require any genetic counselor or other person to mention, discuss, suggest, propose, recommend, or refer for, abortion, or to agree or indicate a willingness to do so, nor shall licensing of any genetic counselor be contingent upon acceptance of abortion as a treatment option for any genetic or other prenatal disease, anomaly, or disability.

B. If the State Board of Health determines that accreditation of genetic counseling training programs by the American Board of Genetic Counseling or of medical genetics training programs by the American Board of Medical Genetics is dependent on criteria, or applied in a manner, incompatible with the provisions of subsection A of this section, it shall establish or recognize and apply criteria for accreditation of alternative genetic counseling training programs or medical genetics training programs compatible with the provisions of subsection A of this section and any genetic counseling training programs or medical genetics training programs accredited thereunder shall be deemed accredited for the purposes of paragraph 3 of subsection A of Section 4 of this act.

C. If the State Board of Health determines that the examination required for certification as a genetic counselor by the American Board of Genetic Counseling or the American Board of Medical Genetics or as a medical geneticist by the American Board of Medical Genetics is incompatible with the provisions of subsection A of this section, it shall establish or recognize an alternative examination compatible with the provisions of that subsection and an individual who passes such an examination shall be deemed to meet the relevant requirements of paragraph 4 of subsection A of Section 4 of this act.

D. The State Board of Health shall by rule waive such other provisions of the Genetic Counseling Licensure Act and provide for appropriate substitute requirements as it determines necessary to ensure compliance with subsection A of this section.

E. There shall be no cause of action against any person for failure to mention, discuss, suggest, propose, recommend, or refer for, abortion, unless the abortion is necessary to prevent the death of the mother.

F. This section shall not be severable from the Genetic Counseling Licensure Act.

Laws 2006, SB 990, c. 174, § 8, eff. November 1, 2006.

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**Section 1-569 - Promulgation of Rules**

Cite as: 63 O.S. § 1-569 (OSCN 2024), Genetic Counseling Licensure Act

The State Board of Health shall promulgate rules, giving consideration to the recommendations of the Infant and Children's Health Advisory Council created in Section 44 of this act, establishing licensure requirements for genetic counselors. Such rules shall include, but not be limited to:

1. Policy and budgetary matters related to licensure;
2. Applicant screening, licensing, renewal licensing, license reinstatement and relicensure;
3. Standards for supervision of students or persons training to become qualified to obtain a license in genetic counseling;
4. Requirements for maintaining and renewal of a license; and
5. Procedures for reviewing cases of individuals found to be in violation of the provisions of the Genetic Counseling Licensure Act, including disciplinary actions when necessary.

Laws 2006, SB 990, c. 174, § 9, eff. November 1, 2006; Amended by Laws 2013, HB 1467, c. 229, § 60, eff. November 1, 2013  
([superseded document available](#)).

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**Section 1-570 - Genetic Counseling Licensure Revolving Fund**

Cite as: 63 O.S. § 1-570 (OSCN 2024), Genetic Counseling Licensure Act

A. There is hereby created in the State Treasury a revolving fund for the State Department of Health to be designated the "Genetic Counseling Licensure Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies that may be directed thereto by the State Board of Health, and all other monies including gifts, grants and other funds that may be directed thereto. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Board for the purpose of licensure of genetic counselors and for other purposes specifically authorized by this act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

B. The fund shall be administered by the State Department of Health.

C. Monies from the fund shall not be used to engage in any political activities or lobbying including, but not limited to, support of or opposition to candidates, ballot initiatives, referenda or other similar activities.

**Historical Data**

Laws 2002, c. 124, § 10, eff. November 1, 2006; Amended by Laws 2012, c. 304, § 482.

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**Section 1-575 - Courtney's Law**

Cite as: 63 O.S. § 1-575 (OSCN 2024), Genetic Counseling Licensure Act

A. This section shall be known and may be cited as “Courtney’s Law”.

B. For purposes of this section, “chromosomal disorder” means:

1. Trisomy 13, otherwise known as Patau syndrome;
2. Trisomy 18, otherwise known as Edwards syndrome; or
3. Trisomy 21, otherwise known as Down syndrome.

C. Any health care facility, health care provider, or genetic counselor who renders prenatal care, postnatal care, or genetic counseling, upon receipt of a positive test result from a test for a chromosomal disorder, shall provide the expectant or new parent with information provided by the State Department of Health under subsection D of this section if such information is made available by the Department for the specific disorder.

D. The State Department of Health shall make available on its Internet website the following:

1. To the extent such information is available, up-to-date, evidence-based written information about chromosomal disorders that has been reviewed by medical experts and national advocacy organizations for people with intellectual and other developmental disorders. The written information provided shall be compiled by the Department from credible sources and shall include physical, developmental, educational and psychosocial outcomes, life expectancy, clinical course, and intellectual and functional development and treatment options; and
2. Contact information for programs and support services including one or more hotlines specific to a chromosomal disorder, resource centers or clearinghouses, national and local organizations, and other education and support programs.

E. To the extent practicable, information provided under this section shall be culturally and linguistically appropriate for women receiving a positive prenatal diagnosis or for the family of a child receiving a postnatal diagnosis of a chromosomal disorder.

F. The State Commissioner of Health shall promulgate rules to implement this section.

**Historical Data**

Laws 2022, SB 1203, c. 124, § 1, eff. November 1, 2022.

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