

June 24, 2004

Ms. Glenda E. Hood
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of Senate Bill 506, enacted during the 36th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2004, and entitled:

An act relating to genetic counseling.

This bill provides for the licensing and regulation of genetic counselors. The bill establishes legislative intent, defines the practice of genetic counseling, creates the Board of Genetic Counselors, provides rulemaking authority, and establishes the basis for disciplinary action. The board is directed to set fees under a statutory cap.

The Sunrise Act, s. 11.62, F.S., states the Legislature's intent that no profession or occupation be subject to regulation unless the regulation is necessary to protect the public health, safety and welfare. This act further establishes specific criteria for evaluating proposals to regulate a new profession or occupation. I believe these standards have not been met in the following respects:

- The potential for substantial harm resulting from lack of regulation is vague and speculative;
- The current system of national certification constitutes an adequate alternative form of regulation;
- The cost effectiveness and economic impact of the regulation is not necessarily favorable to consumers, who may experience increases in insurance premiums if genetic counselors succeed in obtaining reimbursement from health plans.

Given these factors, I am unwilling to approve this bill. I therefore withhold my approval of Senate Bill 506.

Sincerely,

Jeb Bush