

**2025 MOTA HB 1007 Senate Side.pdf**

Uploaded by: Jennifer Navabi

Position: FAV



# Maryland Occupational Therapy Association

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PO Box 36401, Towson, Maryland 21286 ♦ [mota-members.com](http://mota-members.com)

<b>Committee:</b>	<b>Senate Finance Committee</b>
<b>Bill Number:</b>	<b>House Bill 1007</b>
<b>Title:</b>	<b>Disability and Life Insurance - Medical Information (Genetic Testing Protection Act)</b>
<b>Hearing Date:</b>	<b>March 25, 2025</b>
<b>Position:</b>	<b>Support</b>

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The Maryland Occupational Therapy Association (MOTA) supports House Bill 1007 – *Disability and Life Insurance - Medical Information (Genetic Testing Protection Act)*. This bill will prohibit life insurance and disability insurance carriers from denying or limiting coverage based on whether the applicant has undergone genetic testing and prohibiting these types of insurance carriers from canceling a policyholder for undergoing a genetic test. The bill also prohibits carriers from using a genetic test or the results of a genetic test in a way that would limit, deny, cancel or increase an individual’s insurance coverage.

MOTA wants to remove barriers to people obtaining disability and long-term care insurance. Such coverage is essential in supporting individuals to live as independently as possible. Maryland law already prohibits health insurance using genetic testing to discriminate against enrollees. This prohibition should be extended to other types of insurance.

We ask for a favorable report. If we can provide any further information, please contact Michael Paddy at [mpaddy@policypartners.net](mailto:mpaddy@policypartners.net).

**DOCS-#239438-v1-HB\_1007\_in\_FIN\_League\_FAV.DOCX.pdf**

Uploaded by: Matthew Celentano

Position: FAV



15 School Street, Suite 200  
Annapolis, Maryland 21401  
410-269-1554

March 25, 2025

The Honorable Pam Beidle  
Chair, Senate Finance Committee  
3 East  
Miller Senate Office Building  
Annapolis, MD 21401

**House Bill 1007 – Disability and Life Insurance – Medical Information (Genetic Testing Protection Act)**

Dear Chair Beidle,

The League of Life and Health Insurers of Maryland, Inc. **supports** *House Bill 1007 – Disability and Life Insurance – Medical Information (Genetic Testing Protection Act)* and urges the committee to give the bill a favorable report. This bill represents a compromise after significant discussion throughout Session and passed the House Health & Government Operations Committee unanimously.

It is critical to understand that underwriting is a fundamental principle that keeps insurance affordable. A life insurer has only one opportunity to evaluate risk before a policy is issued and remains in place for *decades* or more. Once a policy is in place, an insurer cannot cancel it or raise premiums because of subsequent health information or test results. Proper risk classification ensures the solvency of insurers and their ability to pay claims for all policyholders. For this reason, it is very important that life insurers have access to accurate and complete information about an applicant's health, including their full medical record, which may include genetic information and family medical history. It is also important to note that no life insurance company would ever request that a potential beneficiary take a genetic test, and this compromise bill codifies these protections as well as written consent to access the medical record.

League members are committed to a robust and competitive insurance market that offers a variety of products that are affordable and meet consumers' insurance needs. Life insurance companies have been able to provide affordable coverage because applicants have shared with consent their complete medical records. It only makes sense that if a life insurance company is going to make a long-term promise, it knows an applicant's true health condition.

League members are reluctantly supportive of this legislation, but in the spirit of compromise we can be favorable. This bill is modeled on a Vermont law (which had all the stakeholders in our discussion negotiating there) that adds key consumer protections that were requested by the advocates, the House

added further requests by the proponents, and in the spirit of moving forward the League urges the committee to give House Bill 1007 a favorable report.

Very truly yours,

A handwritten signature in black ink, appearing to read "Matthew Celentano", with a long horizontal flourish extending to the right.

Matthew Celentano  
Executive Director

cc: Members, Senate Finance Committee

**HB 1007- MIA - LOI - FIN.pdf**

Uploaded by: Marie Grant

Position: INFO

WES MOORE  
Governor

ARUNA MILLER  
Lt. Governor



**Maryland**

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MARIE GRANT  
Acting Commissioner

JOY Y. HATCHETTE  
Deputy Commissioner

DAVID COONEY  
Associate Commissioner  
Life and Health Unit

**Date:** March 25, 2025

**Bill # / Title:** House Bill 1007 - Disability and Life Insurance - Medical Information (Genetic Testing Protection Act)

**Committee:** Senate Finance Committee

**Position:** Letter of Information

The Maryland Insurance Administration (MIA) appreciates the opportunity to provide information regarding House Bill 1007.

If enacted, House Bill 1007 will place certain prohibitions on the use of genetic testing by carriers offering life insurance and disability insurance.

In 2009, the MIA convened a workgroup on genetic testing in life and disability income (DI) insurance which recommended that the General Assembly amend Maryland statutes to permit insurers to use genetic information when underwriting life and DI insurance, but prohibit insurers from requiring an applicant to undergo a genetic test. To date, the statutes concerning this have not been amended.

The MIA understands that there have been concerns raised by the insurance industry about the impact of this legislation on the pricing and fairness in rating for these products that could result should this legislation pass. Although House Bill 1007 provides that carriers may consider an enrollee's medical diagnosis, even if it is based on a genetic test, the bill has been amended to further clarify the conditions under which a carrier may use genetic testing to underwrite life or disability insurance.

The amended language specifies that carriers cannot use genetic testing as the basis to discriminate against individuals unless there is a relationship between the medical information that would be obtained from the test and the cost of the insurance risk to the carrier. Furthermore, the amended language allows carriers to demonstrate the relationship by relying on "actuarially sound principles" or "actual or reasonably anticipated experience." The bill also codifies privacy protections for patients by clarifying that a carrier may not access sensitive medical information, including an individual's genetic data without first obtaining their written and signed content. It also clarifies that a carrier may not mandate genetic testing or full genome sequencing as a prerequisite for issuing life or disability insurance and forbids applicants, carriers, or contract

holders from waiving this provision under any circumstances. Finally, the bill codifies the authority of the Maryland Insurance Commissioner to enforce these provisions.

Concerning technical issues, a minor issue arises from the confusion the proposed bill language creates as to the limitation of the carriers to whom the bill applies. The bill includes a definition of “insurance carriers” and then indicates that it “applies only to life insurance and disability insurance policies or contracts” and prohibits certain actions by “insurance carriers that offer, issue, or deliver a life insurance or disability insurance policy.” The MIA recommends instead limiting the scope of the bill to simply indicate that the term “carrier” means an insurance carrier that offers, issues, or delivers a life insurance or a disability insurance policy.

Finally, while Section 2 of the bill indicates that the Act takes effect on October 1, 2025, the bill is missing the standard applicability effective date clause, which would indicate that the bill applies to policies and contracts issued in the State on or after a specified date.

Thank you for the opportunity to provide this letter of information. The MIA is available to provide additional information and assistance to the Committee.