Unofficial Copy C3 1998 Regular Session 8lr1094 CF 8lr1257

By: Delegates Finifter, Pitkin, Barve, Beck, Bobo, Clagett, Conroy,

Dembrow, Dypski, Exum, Faulkner, Frank, Frush, Goldwater, Healey, Heller, Jones, Kagan, Klausmeier, Kopp, Krysiak, Mandel, Marriott, Minnick, Morhaim, Nathan-Pulliam, Preis, Snodgrass, DeCarlo, Cryor, Pendergrass, Petzold, and Workman

Introduced and read first time: January 28, 1998

Assigned to: Economic Matters

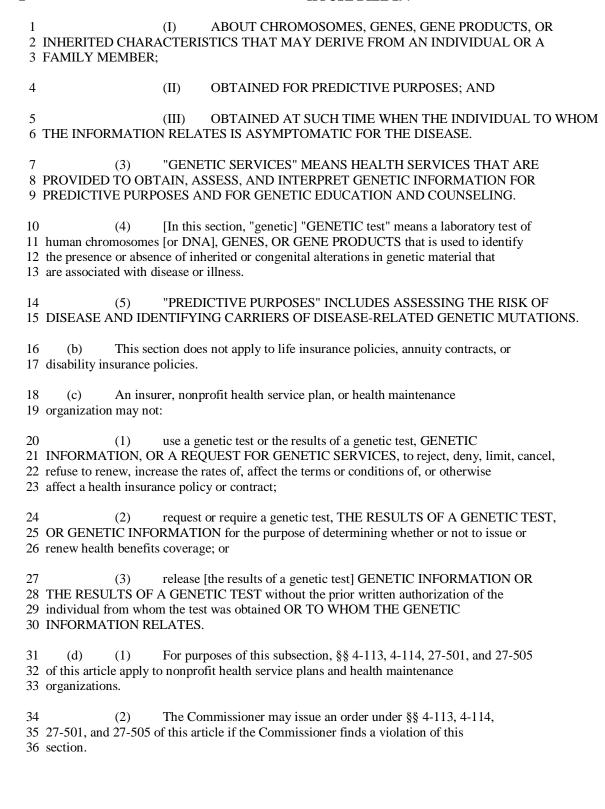
1 AN ACT concerning

## A BILL ENTITLED

C	

- 2 Genetic Information Nondiscrimination in Health Insurance Act of 1998
- 3 FOR the purpose of prohibiting the denial of health insurance to certain individuals
- 4 based upon the individuals' genetic information; prohibiting the requirement of
- 5 genetic information as a basis for not issuing or renewing health benefits
- 6 coverage; prohibiting the disclosure of an individual's genetic information
- 7 without the written consent of the individual for each disclosure; providing for
- 8 tort liability for violating the provisions of this subtitle; defining certain terms;
- and generally relating to the prohibition of discrimination on the basis of genetic
- 10 information.
- 11 BY repealing and reenacting, with amendments,
- 12 Article Insurance
- 13 Section 27-909
- 14 Annotated Code of Maryland
- 15 (1997 Volume)
- 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 17 MARYLAND, That the Laws of Maryland read as follows:
- 18 Article Insurance
- 19 27-909.
- 20 (a) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
- 21 INDICATED.
- 22 (2) "GENETIC INFORMATION" MEANS INFORMATION:

## **HOUSE BILL 297**



- 1 (E) THE AUTHORIZATION DESCRIBED IN SUBSECTION (C)(3) OF THIS SECTION
- 2 IS REQUIRED FOR EACH DISCLOSURE AND SHALL IDENTIFY THE PERSON MAKING
- 3 THE DISCLOSURE AND TO WHOM THE DISCLOSURE IS TO BE MADE.
- 4 (F) AN INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH
- 5 MAINTENANCE ORGANIZATION THAT VIOLATES ANY PROVISION OF THIS SECTION
- 6 MAY, IN THE DISCRETION OF A COURT OF COMPETENT JURISDICTION, BE LIABLE FOR
- 7 COMPENSATORY, CONSEQUENTIAL, AND PUNITIVE DAMAGES.
- 8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 9 October 1, 1998.