

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 297 (Delegate Finifter. *et al.*)

Economic Matters

Genetic Information Nondiscrimination in Health Insurance Act of 1998

This bill expands current law prohibitions against genetic information discrimination in health insurance. The bill prohibits a health insurer, nonprofit health service plan, or HMO (carrier) from using genetic information or a request for genetic services to reject, limit, or affect the terms of a health insurance policy. In addition, the bill prohibits a carrier from using the results of a genetic test or genetic information to determine whether or not to issue or renew health benefits coverage. Current law prohibits the carrier from using genetic tests or the results from genetic tests to affect the terms of a health insurance policy, and prohibits the request or requirement of a genetic test in determining whether or not to issue or renew a policy. The bill also provides that in addition to current law requirements for written authorization prior to the release of results of a genetic test, the carrier may not release genetic information without prior written authorization from the individual to whom the genetic information relates.

Fiscal Summary

State Effect: None. The bill would not materially affect State finances or operations.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

Bill Summary: The bill provides that authorization is required for each disclosure and must identify the person making the disclosure and to whom the disclosure is made.

A carrier that violates any provision of this bill may be liable for compensatory, consequential, and punitive damages.

Information Source(s): Department of Health and Mental Hygiene (Health Care Access and Cost Commission, Medical Care Policy Administration, Community and Public Health Administration); Department of Budget and Management; Insurance Administration; Department of Legislative Services

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