

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

Senate Bill 774 (Senator Forehand. *et al.*)

Finance

Genetic Information Nondiscrimination in Health Insurance Act of 1999

This bill expands current law prohibitions against genetic information discrimination in health insurance. The bill prohibits an 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 genetic information to determine whether or not to issue or renew health benefits coverage. Current law prohibits a carrier from using genetic information 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 prohibits a carrier from releasing identifiable genetic information or the results of a genetic test to any person who is not an employee of the carrier or a participating health care provider without the prior written authorization of the individual from whom the test results or genetic information was obtained. Disclosure of the identifiable genetic information to any of the authorized persons mentioned above can only be made for the purpose of providing medical care or conducting federally-approved research. In addition, the bill provides that authorization is required for each disclosure and must describe the individual or entities making the disclosure and to whom the disclosure is made.

The bill also repeals the September 30, 2002 sunset date for various genetic information discrimination provisions in current law.

Fiscal Summary

State Effect: None. Any additional consumer complaints resulting from the bill's requirements could be handled with existing Maryland Insurance Administration resources.

Local Effect: None.

Small Business Effect: None.

Information Source(s): Maryland Insurance Administration, Department of Health and Mental Hygiene (Community Public Health Administration), Department of Budget and Management (Employee Benefits Division), Department of Legislative Services

Fiscal Note History: First Reader - March 15, 1999
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Analysis by: Susan John

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510