

SB0757/913925/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 757
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “**Disability and Life Insurance – Medical Information**”; in lines 5 and 6, strike “, long-term care insurance,”; strike beginning with “taking” in line 6 down through “testing;” in line 8 and substitute “unfairly discriminating against an individual by taking certain actions relating to coverage based on medical information; prohibiting certain carriers from accessing sensitive medical information without first obtaining written consent or mandating certain genetic testing or full genome sequencing for a certain purpose;”; and in line 9, strike “genetic testing” and substitute “life and disability insurance”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 21 on page 2, inclusive.

On page 2, in lines 22 and 25, strike “**(5)**” and “**(6)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively; and in lines 27 and 28, strike “, **LONG-TERM CARE INSURANCE,**”.

AMENDMENT NO. 3

On page 3, in lines 2 and 10, in each instance, strike “, **LONG-TERM CARE INSURANCE,**”; in line 9, strike “**AN**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN**”; in line 11, strike the colon and substitute “**UNFAIRLY DISCRIMINATE AGAINST AN INDIVIDUAL BY CONDITIONING INSURANCE RATES, THE PROVISION OR RENEWAL OF INSURANCE COVERAGE, OR OTHER CONDITIONS OF INSURANCE BASED ON MEDICAL INFORMATION, INCLUDING THE RESULTS OF**”.

A GENETIC TEST FOR WHICH THERE IS NOT A RELATIONSHIP BETWEEN THE MEDICAL INFORMATION AND THE COST OF THE INSURANCE RISK THAT THE INSURER WOULD ASSUME BY INSURING THE APPLICANT.

(2) IN DEMONSTRATING THE RELATIONSHIP DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE INSURER MAY RELY ON ACTUARIALLY SOUND PRINCIPLES OR ACTUAL OR REASONABLY ANTICIPATED EXPERIENCE.

(3) AN INSURANCE CARRIER THAT OFFERS, ISSUES, OR DELIVERS A LIFE INSURANCE OR DISABILITY INSURANCE POLICY OR CONTRACT IN THE STATE MAY NOT:

(I) ACCESS SENSITIVE MEDICAL INFORMATION, INCLUDING THE GENETIC DATA OF AN INDIVIDUAL, WITHOUT FIRST OBTAINING THE INDIVIDUAL'S SIGNED, WRITTEN CONSENT; OR

(II) MANDATE EXISTING OR NEW GENETIC TESTING OR FULL GENOME SEQUENCING AS A PREREQUISITE FOR LIFE INSURANCE OR DISABILITY INSURANCE ELIGIBILITY OR COVERAGE.”;

strike in their entirety lines 12 through 20, inclusive; in line 21, strike “(2)” and substitute “(4)”; in line 22, strike “CHANGE,”; in the same line, strike “, DISCHARGE, OR TERMINATE”; and in line 23, strike “(1)” and substitute “(3)(II)”.