

Insurance and Real Estate Committee

SENATE FAVORABLE REPORT

Bill No.: SB-208

AN ACT CONCERNING THE INSURANCE DEPARTMENT'S

Title: RECOMMENDATIONS REGARDING GENETIC TESTING.

Vote Date: 3/10/2020

Vote Action: Joint Favorable

PH Date: 2/25/2020

File No.:

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SPONSORS OF BILL:

Insurance and Real Estate Committee

REASONS FOR BILL:

This bill will restrict the manner in which certain insurers may use, and obtain the results of, genetic testing; and (2) provide that certain uses of genetic testing shall constitute a violation of the Connecticut Unfair Insurance Practices Act.

RESPONSE FROM ADMINISTRATION/AGENCY:

State of Connecticut Department of Insurance stated statutes and regulations currently provide protection for consumers in regard to health insurance and Medicare supplement insurance. C.G.S. § 38a-816(19) protects consumers seeking health insurance coverage by prohibiting insurers from refusing to insure, limiting coverage, or charging a different rate because of genetic information indicating a predisposition to a disease. Conn. Agencies Regs. § 38a-495a-19a prohibits the use of genetic information in underwriting for Medicare supplement Insurance. There are no protections in statute or regulation for the use of genetic testing for life insurance, annuities, disability income, long-term care or specified disease insurance. This bill will prohibit insurers, health care centers, and fraternal benefit societies from requesting or requiring a person to disclose the results of their direct-to-consumer genetic tests, require that a person undergo genetic testing, or purchase genetic testing results from the person who performed the tests. This bill will also prohibit the use of genetic testing information obtained through direct-to-consumer genetic testing in the issuance, extension or withholding with respect to such insurance policies. A violation of any of these provisions would constitute a violation of the Connecticut Unfair Insurance Practices Act. The use of genetic testing information would be allowed if an individual provides informed written consent or if the results of genetic testing performed on a family member are contained in an

individual's medical record. This bill would not prohibit the use of information that is voluntarily disclosed by an individual.

NATURE AND SOURCES OF SUPPORT:

None Expressed

NATURE AND SOURCES OF OPPOSITION:

None Expressed

Reported by: Diane Kubeck

Date: March 24, 2020