



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4201

Introduced 1/26/2004, by Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

410 ILCS 513/20

Amends the Genetic Information Privacy Act. Provides that if an application or other form used by an insurer requests a waiver of an individual's health history, the form must expressly state that information derived from genetic testing is not included in such a waiver. Provides that an insurer's application or other form shall comply with this requirement within 2 years.

LRB093 18870 RXD 44605 b

1 AN ACT in relation to public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Genetic Information Privacy Act is amended
5 by changing Section 20 as follows:

6 (410 ILCS 513/20)

7 Sec. 20. Use of genetic testing information for insurance
8 purposes.

9 (a) An insurer may not seek information derived from
10 genetic testing for use in connection with a policy of accident
11 and health insurance. Except as provided in subsection (b), an
12 insurer that receives information derived from genetic
13 testing, regardless of the source of that information, may not
14 use the information for a nontherapeutic purpose as it relates
15 to a policy of accident and health insurance.

16 (b) An insurer may consider the results of genetic testing
17 in connection with a policy of accident and health insurance if
18 the individual voluntarily submits the results and the results
19 are favorable to the individual.

20 (c) An insurer that possesses information derived from
21 genetic testing may not release the information to a third
22 party, except as specified in Section 30.

23 (d) If an application or other form used by an insurer
24 requests a waiver of an individual's health history, the form
25 must expressly state that information derived from genetic
26 testing is not included in such a waiver. An insurer's
27 application or other form shall comply with the requirements of
28 this subsection within 2 years of the effective date of this
29 amendatory Act of the 93rd General Assembly.

30 (Source: P.A. 92-430, eff. 8-17-01.)