HLS 24RS-854 ENGROSSED

2024 Regular Session

HOUSE BILL NO. 521

1

BY REPRESENTATIVE FREEMAN

INSURANCE/LIFE: Prohibits the use of genetic information relative to life and long-term care insurance

AN ACT

2	To amend and reenact R.S. 22:918(B)(1) and (C)(1) and (2), relative to the use of genetic
3	testing with respect to life and long-term care insurance; to provide relative to
4	prohibited actions regarding policies; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 22:918(B)(1) and (C)(1) and (2) are hereby amended and reenacted
7	to read as follows:
8	§918. Prohibited discrimination; genetic information derived from participation in
9	genetic research or testing or clinical research; definitions
0	* * *
1	B. An insurer, in determining eligibility for coverage, establishing premiums,
12	limiting coverage, or making any other underwriting decisions, shall not do either
13	of the following:
4	(1) Take into consideration the fact that an individual or a family member
15	of the individual participated in genetic research or testing, including any request for
16	or receipt of genetic services or participation by an individual or family member in
17	clinical research or testing that includes genetic services, unless the results of that
18	genetic research or test are included in the individual's medical record or provided
9	by the individual for consideration by the insurer.
20	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	C. An insurer shall not do any of the following:
2	(1) Cancel or refuse to renew Cancel, limit, refuse to renew, deny coverage,
3	or increase premium rates with respect to an existing policy based on the fact that an
4	individual or a family member of the individual requested or received genetic
5	services.
6	(2) Cancel or refuse to renew Cancel, limit, refuse to renew, deny coverage,
7	or increase premium rates with respect to an existing policy based on the fact that an
8	individual or a family member of the individual participated in genetic research,
9	including clinical research that includes genetic services.
10	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 521 Engrossed

2024 Regular Session

Freeman

Abstract: Further prohibits the use of genetic information relative to life and long-term care insurance.

<u>Present law</u> generally prohibits an insurer offering life and long-term care insurance policies or annuities contracts from considering, for insurance coverage or underwriting purposes, an individual's or the individual's family member's participation in genetic or clinical research.

<u>Proposed law</u> further prohibits the insurer from considering an individual's or the individual's family member's genetic test. Otherwise retains present law.

<u>Present law</u> prohibits an insurer from cancelling or refusing to renew an existing policy based on the fact that an individual or the individual's family member requested or received genetic services, or participated in genetic research, including clinical research that includes genetic services.

<u>Proposed law</u> further prohibits an insurer from limiting or denying coverage, or increasing premium rates, based on the genetic testing of an individual or the individual's family member. Otherwise retains present law.

(Amends R.S. 22:918(B)(1) and (C)(1) and (2))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Insurance</u> to the <u>original</u> bill:

1. Prohibit an insurer from considering, with respect to coverage and underwriting decisions, the genetic test of an individual or the individual's family member.

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2. Prohibit an insurer from increasing premium rates on existing policies based on the individual's or the individual's family member's participation in genetic research or services.

3. Make technical changes.