

**Genetic Testing Underwriting Restrictions Legislation in the States Summary**  
**2019-2022**

State	Year	Legislation	Summary	Status
CT	2019	H. 7762	Would have prohibited life insurers from using genetic information in underwriting.	Failed
CT	2019	H. 6544	Would have prohibited consumer genetic testing companies from sharing any genetic data with a life or health insurer.	Failed
DE	2019	S. 17	Would have imposed restrictions on the use of genetic test results in life insurance underwriting.	Failed
DE	2019	S. 144	Would have prohibited life insurers from using genetic test results in underwriting.	Failed
FL	2019	S. 258/H. 879	Would have prohibited life insurers from using genetic test results in underwriting.	Failed
IL	2019	S. 1307	Would have prohibited life insurers from using genetic information in underwriting.	Failed
IL	2019	H. 2189	As introduced, would have prohibited life insurers from using genetic information in underwriting; <b>amended to strike underwriting restrictions.</b> <b>As passed, prohibits direct to consumer testing companies from releasing test results without consumer consent.</b>	Signed by Governor
ME	2019	H.P. 949	As introduced, would have prohibited life insurers from using genetic information in underwriting; <b>amended to strike underwriting restrictions.</b> <b>As passed, prohibits direct to consumer testing companies from releasing test results without consumer consent.</b>	Signed by Governor
AL	2020	H. 266	Would have prohibited life insurers from using genetic information in underwriting.	Failed
CA	2020	A. 2301	Would have expanded definition of genetic information to include family history.	Failed
CT	2020	S. 208	Would have imposed restrictions on the use of genetic test results in life insurance underwriting.	Failed
FL	2020	S. 1564	Would have prohibited life insurers from using genetic test results in underwriting.	Failed
FL	2020	H. 1189	As introduced, would have prohibited life insurers from using genetic test results in underwriting. <b>As passed, contains exception for genetic test results if they are in the applicant's medical record and provide a diagnosis.</b>	Signed by Governor
MD	2020	H. 237	Would have expanded definition of genetic information to include family history.	Failed
MD	2020	S. 201	Would have restricted use of genetic information in underwriting by changing definition of personal information.	Failed

<b>MN</b>	2020	H. 112	Would have imposed restrictions on the use of genetic test results in life insurance underwriting.	Failed
<b>NC</b>	2020	S.455	Would have prohibited life insurers from using genetic information in underwriting.	Failed
<b>NC</b>	2020	H. 514	Would have prohibited life insurers from using genetic information in underwriting.	Failed
<b>PA</b>	2020	S.B. 1284	Would have prohibited life insurers from using genetic information in underwriting.	Failed
<b>TN</b>	2020	S. 1841	Would have prohibited consumer genetic testing companies from sharing any genetic data.	Failed
<b>VT</b>	2020	S. 197	As introduced, would have prohibited life insurers from using genetic information in underwriting; <b>amended to provide genetic test results can be used in underwriting if part of the applicant's medical record.</b>	Failed
<b>CA</b>	2021	S. 41	Prohibits consumer genetic testing companies from sharing any genetic data.	Signed by Governor
<b>CT</b>	2021	S. 841	Prohibits certain insurance policies from requiring genetic tests.	Signed by Governor
<b>CT</b>	2021	S. 6	Would have prohibited life insurers from using genetic information in underwriting.	Failed
<b>GA</b>	2021	H. 115	Would have prohibited life insurers from using genetic test results in underwriting.	Failed
<b>LA</b>	2021	H. 703	As introduced, would have prohibited life insurers from considering whether an individual or a family member participated in genetic research or requested genetic services. <b>As passed, allows insurers to access an applicant's medical record as part of the application process and consider genetic information contained in the medical record if the information is relevant to a potential medical condition that impacts mortality or morbidity, and consideration of the genetic information is based on sound actuarial principles or reasonably expected experience.</b>	Signed by Governor
<b>ME</b>	2021	H. 800	Would have prohibited life insurers from using genetic information in underwriting.	Failed
<b>PA</b>	2021	S. 125	Would prohibit life insurers from using genetic information in underwriting.	Carried over
<b>SD</b>	2021	S. 178	Prohibits consumer genetic testing companies from sharing any genetic data.	Signed by Governor
<b>TX</b>	2021	H. 3742	Would have prohibited consumer genetic testing companies from sharing any genetic data.	Failed
<b>UT</b>	2021	S. 227	Establishes consumer rights to privacy with respect to genetic data collected, used, or disclosed by a direct-to-consumer genetic testing company.	Signed by Governor

<b>VT</b>	2021	S. 21	Would have prohibited life insurers from using genetic information in underwriting.	Failed
<b>VT</b>	2021	H. 233	Would have expanded definition of genetic information to include family history.	Failed
<b>HI</b>	2022	H. 2032	Would prohibit consumer genetic testing companies from sharing any genetic data.	Introduced
<b>MS</b>	2022	S. 2037	Would have prohibited life insurers from using genetic test results in underwriting.	Failed
<b>TN</b>	2022	H. 2851	Would prohibit life insurers from using genetic test results in underwriting.	Introduced
<b>TN</b>	2022	S. 2074	Would prohibit life insurers from using genetic test results in underwriting.	Introduced

- Only one state, **Florida**, has enacted significant restrictions on life insurers' use of genetic test results in underwriting.
- In 2019, both **Maine and Illinois** significantly amended bills introduced to ban the use of genetic information in insurance underwriting; instead, both states passed legislation to provide protections for consumers with respect to direct-to-consumer genetic testing kits.
- In **California**, genetic testing restrictions are aimed at disability (health) insurance and apply only to hospital, medical, and surgical expense coverage, not life insurance.
- In **Oregon**, genetic testing restrictions are aimed at hospital and medical expense insurance. Life insurers may ask applicants to take a genetic test if informed consent and authorizations are obtained.
- Only **Vermont and Massachusetts** prohibit **all insurers** (Life, DI, LTC) from requiring a genetic test as a condition for offering a policy.
- In **Vermont**, insurers may use genetic information to underwrite so long as there is a relationship between the medical information and cost of the insurance risk.
- In **Massachusetts**, insurers may not use genetic information to practice unfair discrimination but may ask applicants if they have taken a test. As in Vermont, if information is provided, the insurer may use it in accordance with sound actuarial principals and actual or reasonably expected experience.