

Comparison of GINA, Florida Law, Current Vermont Law, and S.247 as Passed Senate

April 1, 2022

	GINA	Florida Law	Vermont Law	S.247
Subject Matter	Health insurance and employment discrimination	Health, life, and long-term care insurance	All forms of insurance and employment discrimination	All forms of insurance
Definition of Genetic Information	The term ‘genetic information’ means, with respect to any individual, information about: <ol style="list-style-type: none"> individual’s genetic tests, the genetic tests of family members of an individual, and (iii) the manifestation of a disease or disorder in family members of an individual. 	“Genetic information” means information derived from genetic testing to determine the presence or absence of variations or mutations, including carrier status, in an individual’s genetic material or genes that are scientifically or medically believed to cause a disease, disorder, or syndrome, or are associated with a statistically increased risk of developing a disease, disorder, or syndrome, which is asymptomatic at the time of testing. Such testing does not include routine physical examinations or chemical, blood, or urine analysis, unless conducted purposefully to obtain genetic information, or questions regarding family history.	“Genetic information” means the results of genetic testing contained in any report, interpretation, evaluation, or other record thereof.	“Genetic information” means the results of genetic testing related to an individual or a family member of the individual contained in any report, interpretation, evaluation, or other record.
Prohibited Acts: Employment	<u>Employment:</u> <ol style="list-style-type: none"> Prohibits discriminating against or harassing employees or applicants based on genetic information; Prohibits requesting, requiring, or purchasing an employee’s genetic information; and Prohibits disclosing an employee’s genetic information. 	<u>N/A</u>	<u>Employment and licensing:</u> <ol style="list-style-type: none"> Prohibits employer from: <ol style="list-style-type: none"> Considering fact that genetic testing or services have been requested or performed; Considering genetic testing results or information of a person or their family; Considering diagnosis of a genetic disease derived from a clinical exam; or Requiring genetic testing Prohibits disclosure of genetic information, genetic test results, request for genetic services, or performance of a genetic test to an employer. 	<u>Employment and licensing:</u> <ol style="list-style-type: none"> No change to existing law.
Prohibited Acts: Insurance	<u>Group Health Insurance:</u> <ol style="list-style-type: none"> Prohibits making coverage, underwriting, or premium decisions based on genetic information; Prohibits requesting or requiring an individual to undergo a genetic test; and Prohibits collecting genetic information prior to or in connection with enrollment, or for underwriting purposes. 	<u>Health, Life, and Long-term Care Insurance:</u> <ol style="list-style-type: none"> Health insurers, life insurers, and long-term care insurers may not cancel, limit, or deny coverage, or establish differentials in premium rates based on genetic information in the absence of a diagnosed condition. Health insurers, life insurers, and long-term care insurers may not require or solicit genetic information, use genetic test results, or consider a person’s decisions or actions 	<u>All Forms of Insurance:</u> <ol style="list-style-type: none"> Prohibits any policy of insurance from being underwritten or conditioned on: <ol style="list-style-type: none"> Requirement or agreement for individual to undergo genetic testing; or Results of genetic testing of individual’s family member. 	<u>All Forms of Insurance:</u> <ol style="list-style-type: none"> Prohibits any policy of insurance from being underwritten or conditioned on: <ol style="list-style-type: none"> Requirement or agreement for individual to undergo genetic testing; Genetic information of individual that may be associated with a potential condition but has not resulted in a diagnosed condition in the individual; and

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		relating to genetic testing for any insurance purpose		<p>c. Genetic information of individual's family member that may be associated with a potential condition but has not resulted in a diagnosed condition in the family member.</p> <p>2. Prohibits a life insurance company from requesting, requiring, purchasing, or using information obtained from direct-to-consumer genetic testing without consent of individual.</p>
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