



1997 ASSEMBLY BILL 157

March 6, 1997 – Introduced by Representatives WASSERMAN, SCHNEIDER, URBAN, AINSWORTH, BALDWIN, BOCK, CARPENTER, CULLEN, DOBYNS, HAHN, HASENOHRL, HUBER, KREUSER, LADWIG, LA FAVE, MURAT, MUSSER, NOTESTEIN, REYNOLDS, RILEY, ROBSON, RYBA, L. YOUNG, ZIEGELBAUER, GRONEMUS and GUNDERSON, cosponsored by Senators GROBSCHMIDT, BUETTNER and MOEN. Referred to Committee on Consumer Affairs.

- 1 **AN ACT to create** 631.89 (2) (bm) of the statutes; **relating to:** prohibiting
2 insurers from requesting genetic test information from health care providers.

Analysis by the Legislative Reference Bureau

Under current law, an insurer may not require or request an individual or a member of the individual's family to obtain a genetic test, or require or request an individual to reveal whether he or she or a family member has obtained a genetic test or what the results of such a test, if obtained, were. An insurer may not condition insurance coverage on, or consider in the determination of rates or any other aspect of insurance coverage, whether an individual or a member of the individual's family has obtained a genetic test or what the test results were. These prohibitions also apply to a county, city, village or school board that provides health care benefits for its employees on a self-insured basis, but do not apply to an insurer writing life or income continuation insurance. A genetic test is defined as a test using deoxyribonucleic acid (DNA) to determine the presence of or predisposition for a genetic disease or disorder.

This bill expands the prohibition against insurers from inquiring about genetic tests to health care providers. Under the bill, an insurer, including a county, city, village or school board that provides health care benefits on a self-insured basis, may not require or request a health care provider who is providing or who has provided health care services to an individual to reveal whether the individual or a family member of the individual has obtained a genetic test or what the results of such a test, if obtained, were. The bill uses the same comprehensive definition for "health

