

## RÉSUMÉ DIGEST

**ACT 242 (HB 703)**

**2021 Regular Session**

**DuBuisson**

New law defines "DNA", "family member", "genetic information", "genetic services", "genetic test", "individual", and "insurer".

New law generally prohibits an insurer offering life and long-term care insurance policies, or annuities contracts including group plans, from considering an individual's or the individual's family member's participation in genetic research for underwriting purposes, unless the results of that genetic research are included in the individual's medical record provided by the individual for consideration by the insurer.

New law prohibits an insurer's request for or receipt of genetic services or clinical research and prohibits an insurer from requiring or requesting individuals or family members to take a genetic test.

New law 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 on the fact that an individual or the individual's family member participated in genetic research, including clinical research that includes genetic services.

New law prohibits an insurer's purchase of an individual's genetic information without the individual's written consent.

New law, under certain circumstances, does not prevent an insurer from certain actions related to accessing an individual's medical records for application processes, establishing rules for eligibility for enrollment, adjusting premium or contribution amounts, increasing premiums for employers, and considering genetic information relevant to a potential medical condition that impacts mortality or morbidity, when such consideration is based on sound actuarial principles or reasonably expected experience.

Effective August 1, 2021.

(Adds R.S. 22:918)