



Legislative & Regulatory Update

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February 2018



Overview

- Brief overview of current legal landscape
- Pending bills
- Outlook
- Q&A



Current legal landscape

- Restrictions on the use of existing test results vary by line of business (LOB)

Restriction	Life	LTC	Ind. DI	Group DI
Cannot require a genetic test	2 states	6 states	3 states	
Cannot use existing genetic test results	0+	8 states	4 states	2 states



Current legal landscape

- Genetic anti-discrimination statutes for non-health insurance products are often misquoted or misinterpreted
- Underwriting may be permitted if it's based on “sound actuarial principles or actual or reasonably anticipated experience.”



Pending Bills – Fla. HB 855 & S. 1106

- In the absence of a diagnosed condition, no insurer may underwrite using genetic information
 - Genetic information excludes routine physical examination, chemical, blood or urine analysis, unless conducted purposefully to obtain genetic information, or questions regarding family history.



Pending Bills – Fla. HB 855 & S. 1106

- Insurers cannot require nor solicit genetic info, **use genetic test results** or consider a person's decisions/actions relating to genetic testing...for any insurance purpose.
 - Prohibits the use of existing genetic test results
 - Prevents insurers from underwriting on diagnosed conditions if those conditions are diagnosed with a genetic test



ACLI's response to HB 855 & S 1106

- Advocacy strategy
- External resources



Outlook & Questions