

2772-S

Sponsor(s): House Committee on Financial Institutions & Insurance  
(originally sponsored by Representatives Schual-Berke, Cody,  
O'Brien, G. Simpson, Moeller, Dickerson, Chase and Conway)

Brief Description: Controlling genetic information.

**HB 2772-S.E - DIGEST**

(AS OF HOUSE 2ND READING 2/16/04)

Declares that insurers may not require a person to undergo a genetic test or provide the results of a previous genetic test as a condition of offering or renewing insurance. If an insurer has information from a genetic test, the insurer may only use that information if it demonstrates the active presence of disease or illness. An insurer may not use information from a genetic test if the information only demonstrates a propensity for a condition or illness and not the active presence of disease or illness.

Declares that it is unlawful for any person, firm, corporation, or the state of Washington, its political subdivisions, or municipal corporations to require, directly or indirectly, that any employee or prospective employee submit genetic information or submit to screening for genetic information as a condition of employment or continued employment.

Provides that, on the effective date of this act, if an employer possesses genetic information about an employee, it is unlawful for the employer to disclose the genetic information without the employee's informed consent.

Declares that it is unlawful to offer a person an inducement to disclose genetic information; to question a person about his or her genetic information; to solicit submission to, require, or administer a genetic test to any person as a condition of employment; or to collect, solicit, or require disclosure of genetic information from any person as a condition of employment.