
SENATE BILL 5452

State of Washington

59th Legislature

2005 Regular Session

By Senators Franklin, Fairley, Stevens, Roach, Benson, Regala, Kline, Rockefeller, Rasmussen and Kohl-Welles

Read first time 01/25/2005. Referred to Committee on Financial Institutions, Housing & Consumer Protection.

1 AN ACT Relating to genetic testing as a condition of life
2 insurance; adding a new section to chapter 48.23 RCW; and adding a new
3 section to chapter 48.24 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.23 RCW
6 to read as follows:

7 It is unlawful for any life insurer to require, directly or
8 indirectly, any policyholder or prospective policyholder or person upon
9 whose life the contract is made to submit genetic information or submit
10 to screening for genetic information as a condition of obtaining or
11 retaining a life insurance or annuity policy. It is unlawful for any
12 life insurer to use genetic information in setting rates or making
13 determinations concerning the rate or amount of premium charged for a
14 life insurance or annuity policy, or in the benefits payable or in any
15 other rights or privileges accruing thereunder.

16 "Genetic information" for purposes of this chapter, is information
17 about inherited characteristics that can be derived from a DNA-based or
18 other laboratory test, family history, or medical examination.
19 "Genetic information" for purposes of this chapter, does not include:

1 (1) Routine physical measurements, including chemical, blood, and urine
2 analysis, unless conducted purposefully to diagnose genetic or
3 inherited characteristics; and (2) results from tests for abuse of
4 alcohol or drugs, or for the presence of HIV.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.24 RCW
6 to read as follows:

7 It is unlawful for any insurer issuing a group life insurance or
8 annuity policy to require, directly or indirectly, any policyholder or
9 prospective policyholder or any person upon whose life the contract is
10 made to submit genetic information pertaining to any person insured
11 under the group life insurance policy or pertaining to any person upon
12 whose life the policy is made or to require such persons to submit to
13 screening for genetic information as a condition of obtaining or
14 retaining a group life insurance or annuity policy. It is unlawful for
15 any insurer issuing a group life insurance policy to use genetic
16 information in setting rates or making determinations concerning the
17 rate or amount of premium charged for a group life insurance or annuity
18 policy, or in the benefits payable or in any other rights or privileges
19 accruing thereunder.

20 "Genetic information" for purposes of this chapter, is information
21 about inherited characteristics that can be derived from a DNA-based or
22 other laboratory test, family history, or medical examination.
23 "Genetic information" for purposes of this chapter, does not include:
24 (1) Routine physical measurements, including chemical, blood, and urine
25 analysis, unless conducted purposefully to diagnose genetic or
26 inherited characteristics; and (2) results from tests for abuse of
27 alcohol or drugs, or for the presence of HIV.

--- END ---