

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** SB 254 (First Edition)

**SHORT TITLE:** Genetic Info/No Discrimination

**SPONSOR(S):**Senators Odom, *et al.*

<b>FISCAL IMPACT</b>						
<b>Yes ( )</b>	<b>No (X)</b>	<b>No Estimate Available ( )</b>				
		<b><u>FY 1997-98</u></b>	<b><u>FY 1998-99</u></b>	<b><u>FY 1999-00</u></b>	<b><u>FY 2000-01</u></b>	<b><u>FY 2001-02</u></b>
<b>REVENUES</b>						
<b>EXPENDITURES</b>						
<b>POSITIONS:</b>						
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>						
<b>EFFECTIVE DATE:</b>						

**BILL SUMMARY:** Amends GS 58-50-130(a)(1) (required health care plan provisions), 58-51-15(a)(2) (accident and health policy provisions), 58-51-80(b)(3) (group accident and health insurance defined), 58-65-60(e)(2) (hospital insurance), and 58-67-85(c) (health maintenance organization) to provide that genetic information may not be treated as preexisting condition in absence of diagnosis of condition related to the genetic information. Amends GS 58-51-80(b)(2) to provide that accident and health insurance company may not establish rules for eligibility for individual to enroll under terms of group accident and health plan based on following health status-related factors in relation to individual or individual's dependent: (1) health status; (2) medical conditions; (3) claims experience; (4) receipt of health care; (5) medical history; (6) genetic information; (7) evidence of insurability; and (8) disability. Company may not require individual to pay premium or contribution greater than that charged to similarly situated individual on basis of health status-related factor, and may not raise premium or contribution rates paid by group based on genetic information obtained about individual member of group. Makes similar amendments to GS 58-65-60(e)(1) (hospital and medical service corporation) and GS 58-67-85(b) (health maintenance organization).

Adds new GS 58-51-45A to prohibit denial of coverage based on genetic information for entities licensed under Articles 1 through 67 of GS Ch. 58. Adds new GS 95-28.2A to provide that no person, firm, corporation, state or local gov't, etc. shall deny or refuse employment to any person or discharge person from employment on account of person's having requested genetic testing or counseling services, or based on genetic information

obtained about person or member of person's family. Act does not apply to "specified accident, specified disease, hospital indemnity, disability, or long-term care health insurance policies."<sup>1</sup>

**ASSUMPTIONS AND METHODOLOGY:** Department of Labor and Department of Insurance report that all requirements can be assumed by existing personnel, with no increase of resources needed.

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION**

**733-4910**

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**APPROVED BY:** Tom L. Covington **TomC**

**DATE:**



**Signed Copy Located in the NCGA Principal Clerk's Offices**

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<sup>1</sup> Legislative Reporting Service, Institute of Government: "Daily Bulletin", Vol. 1997, No. 18, p. 3.