

CONTENTS

One Fewer Excuse To Not Have Genetic Testing

EDITED BY ELIZABETH WHITTINGTON

People who inherit a genetic mutation, such as BRCA1 and BRCA2 for breast and ovarian cancers, or other familial syndromes, such as hereditary nonpolyposis colorectal cancer, that predispose them to cancer are now protected from genetic discrimination regarding health insurance coverage and employment. The Genetic Information Nondiscrimination Act (GINA) of 2007 passed the House in April by a 420-3 vote and will likely be passed by the Senate later this year.

Protection against genetic discrimination exists in a number of laws, including HIPAA and the Americans with Disabilities Act, but GINA clarifies and extends those rights.

Reports of genetic discrimination are rare, but Republican Senator Olympia Snowe of Maine, who has led efforts to protect people from genetic discrimination for more than a decade, calls the bill a proactive measure to prevent widespread discrimination in the future. GINA prohibits health insurance companies from denying coverage or charging higher premiums to someone who is healthy but may have a genetic mutation that makes them susceptible to a disease. It also prohibits an employer from using that information in hiring, firing, or promotion decisions.

While genetic tests are currently available to determine susceptibility to breast, colorectal, or kidney cancer, surveys suggest some people don't take advantage of them for fear of genetic discrimination regarding health insurance and employment. Lawmakers hope the legislation will remove that fear and encourage genetic testing among those who want it.