



Kaiser Daily Health Policy Report

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Capitol Hill Watch

Senate Panel Passes Bill To Ban Genetic Discrimination

The [Senate Health, Education, Labor and Pensions Committee](#) on Wednesday voted 19-2 to approve a bill (S 358) under which employers and health insurers could not discriminate against U.S. residents based on the results of genetic tests, *CongressDaily* reports (Lee, *CongressDaily*, 2/1). Under the legislation, employers could make decisions about whether to hire potential employees or fire or promote employees based on the results of genetic tests. In addition, health insurers could not deny coverage to potential members or charge higher premiums to members based on the results of genetic tests. The [House Education and Labor Health, Employment, Labor and Pensions Subcommittee](#) on Tuesday held a hearing on a similar bill ([HR 493](#)) (*Kaiser Daily Health Policy Report*, 1/31). The Senate approved similar bills in 2003 and 2005, but the legislation did not pass in the House. According to *CongressDaily*, the bill likely will pass in Congress this year, and President Bush likely will sign the legislation (*CongressDaily*, 2/1).

Comments

Sen. Olympia Snowe (R-Maine), who sponsored the Senate bill, said that the legislation would ensure that residents who take genetic tests for hereditary diseases do not have the results used against them (Wayne, *CQ Today*, 2/1). However, Sen. Tom Coburn (R-Okla.), who voted against the bill, said that the legislation would have "all sorts of unintended consequences" for efforts to process health insurance claims, share information with law enforcement agencies and maintain medical records. He added that the bill would not protect embryos from discrimination based on the results of genetic tests conducted before implantation. Coburn said that he would place a hold on legislation until his concerns are addressed. Sen. Richard Burr (R-N.C.) also voted against the bill (*CongressDaily*, 2/1). The [U.S. Chamber of Commerce](#) opposes the legislation because "it seeks to not only punish employers for discrimination using genetic information but for collecting the data in the first place," *CQ Today* reports (*CQ Today*, 2/1).