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NATIONAL COUNCIL OF INSURANCE LEGISLATORS (NCOIL)

Model Act Regarding Life Insurers' Use of Genetic Information

**Sponsored by Rep. Brenda Carter (MI).*

**Draft as of October 14, 2025. To be discussed during the meeting of the Life Insurance & Financial Planning Committee on November 14, 2025.*

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Section 1. Title

This Act shall be known as the [State] Act Regarding Life Insurers' Use of Genetic Information.

Section 2. Purpose

The purpose of this Act is to set forth provisions as to how life insurers may utilize genetic information.

Section 3. Definitions

As used in this Act, the following terms shall have the following meaning:

(A) "Genetic information" means information derived from genetic testing to determine the presence or absence of variations or mutations, including carrier status, in an individual's genetic material or genes that are scientifically or medically believed to cause a disease, disorder or syndrome, or are associated with a statistically increased risk of developing a disease, disorder or syndrome, that is asymptomatic at the time of testing. The testing does not include either routine physical examinations or chemical, blood or urine analysis unless conducted purposefully to obtain genetic information or questions regarding family history.

(B) "Life insurance coverage" means a written contractual arrangement for the provision of life insurance, as defined in [insert citation to applicable State statute].

(C) “Life insurance provider” means an insurer or other entity providing life insurance coverage.

Section 4. Life Insurers’ Use of Genetic Information

(A) A life insurance provider shall not cancel insurance coverage for an individual or a family member of an individual based solely on the individual's or family member's genetic information.

(B) A life insurance provider shall not request or require an individual to whom the insurer provides life insurance coverage, or an individual who applies for life insurance coverage, to undergo genetic testing, including complete genomic sequencing, take a genetic test as a precondition of ~~insurability coverage or pricing, and shall not require the complete genome sequencing of an individual's DNA.~~

(C) A life insurance provider shall not access, use, retain, or disclose sensitive medical information, including the genetic data of an individual, without first obtaining the individual's signed, written consent.

(D) This section does not prevent a life insurance provider from requesting, or obtaining, or using existing health information for underwriting, including genetic information contained within an individual's medical record.

Section 5. Rules

The Commissioner shall adopt rules to effectuate the provisions of this Act.

Section 6. Effective Date

This Act shall take effect xxxxxx.