

Genetics and the Law

Presented by: Anya Prince, Esq.
Staff Attorney, Cancer Legal Resource Center

Disability Rights Legal Center

CLRC

Cancer Legal Resource Center

Phone	866.THE.CLRC
TDD	213.736.8310
Fax	213.736.1428
Email	CLRC@LLS.edu



www.CancerLegalResourceCenter.org

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Cancer Legal Resource Center's Mission:

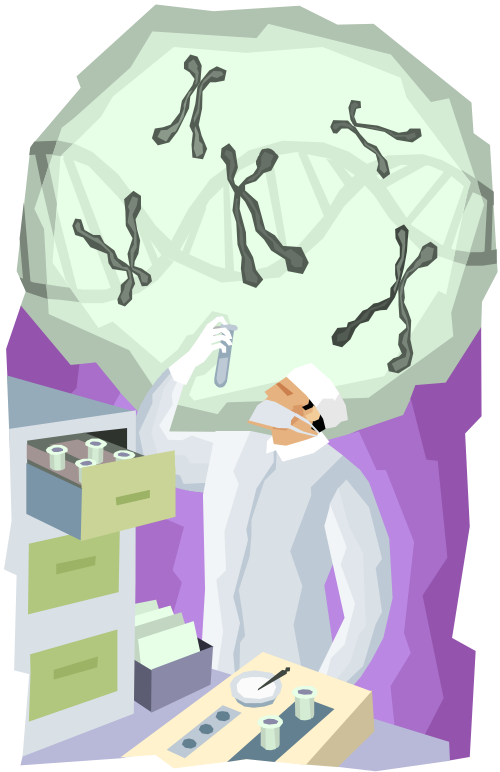
To provide information & resources on cancer-related legal issues to cancer patients, survivors, caregivers, health care professionals, employers, and others coping with cancer.

CLRC services are



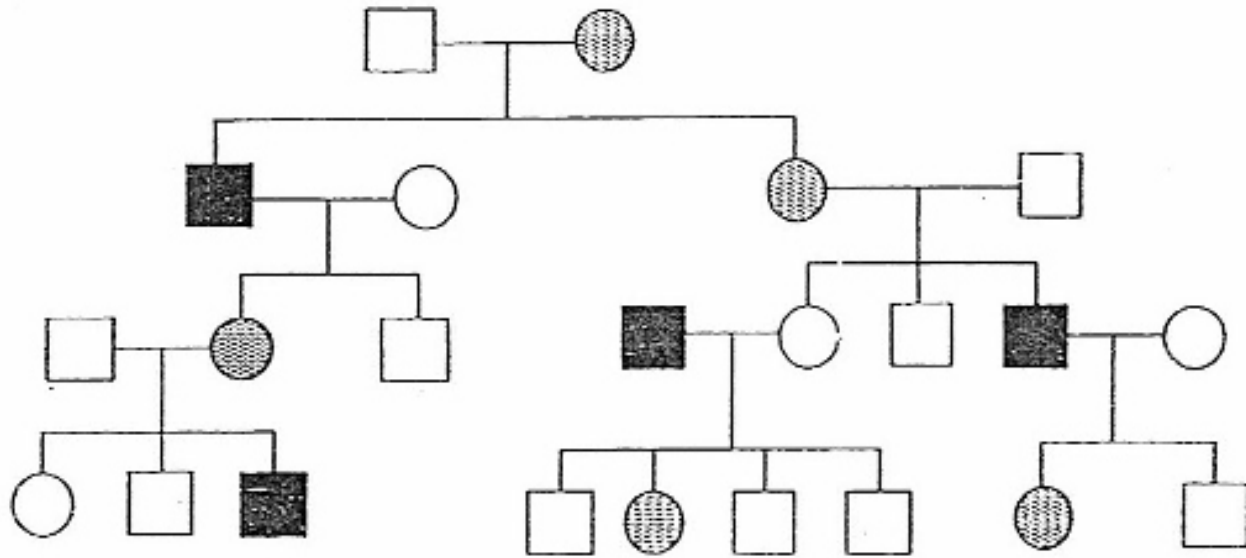
FREE!

Genetics and the Law



- Genetic Discrimination
- Access to Preventive Care
- Privacy

Cancer and Genetics



Approximately 5-10% of all cancers are hereditary

Genetic Testing



Finds associations with an increased risk of cancer, not cancer itself.

Ex: Lynch Syndrome, FAP

Speak to your genetic counselor or doctor

Genetic Counseling

Understand the medical, psychological and familial implications of genetics



Find a counselor:

Ask your doctor

Check your insurance coverage

National Society of Genetic Counselors

www.nsgc.org

Genetic Discrimination



Social or economic discrimination based on an individual's hereditary predisposition to disease.

Genetic Information Nondiscrimination Act (GINA)

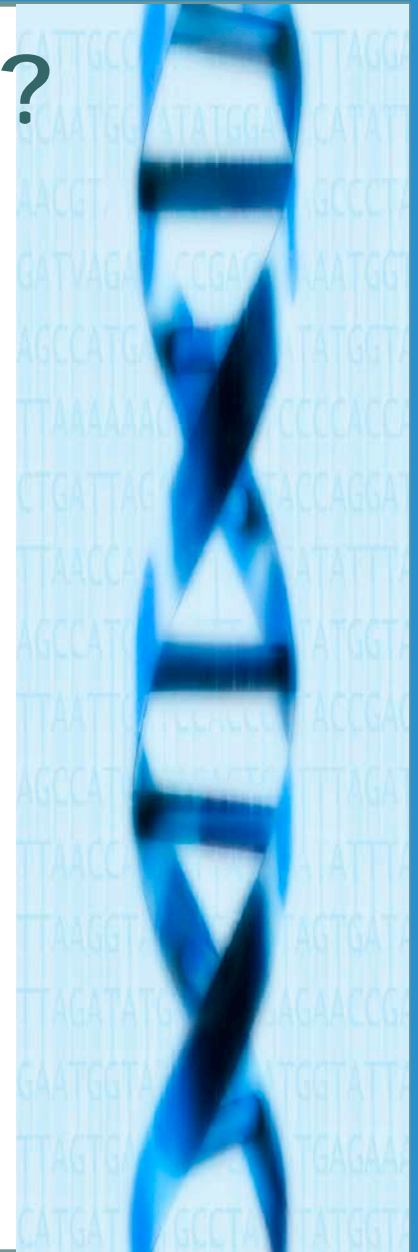
Prohibits genetic discrimination in
health insurance and employment



What is Genetic Information?

- Family medical history
- Genetic test results
- Genetic counseling or other genetic services
- Participation in genetic research

- Does NOT include current health status or manifested diseases



Nondiscrimination in Employment

State, local, and
private employers 15+

Employment agencies
and labor
organizations

Some federal
employees, but not all

NOT Indian tribes or
bona fide private clubs

Nondiscrimination in Employment

No discrimination against an employee based on genetic information



Can't collect an employee's genetic info (exceptions)



With limited exceptions, genetic information possessed by an employer must be kept confidential

Nondiscrimination in Health Insurance

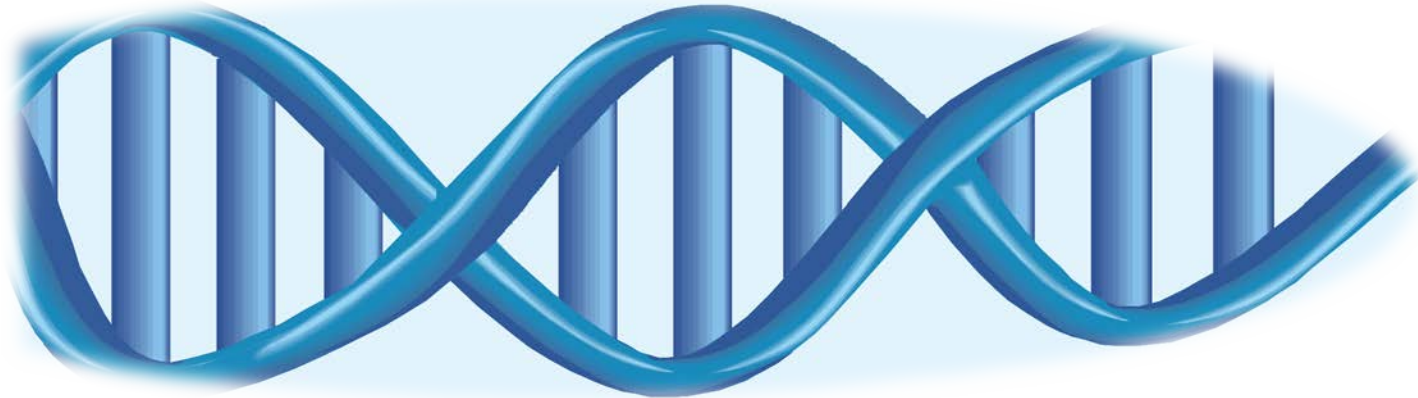
Group and individual health, and Medigap plans

Only applies to health insurance

Does not apply to Tricare, Veterans Health, the Indian Health Service, or the FEHBP

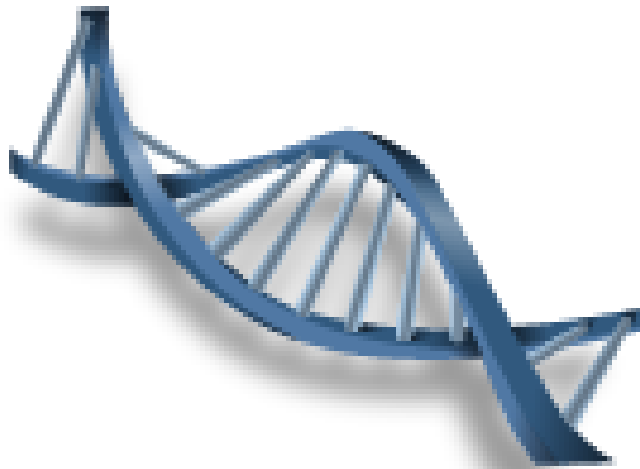
Does not apply to life, long-term care, or disability insurances

Nondiscrimination in Health Insurance



Genetic information cannot be considered a pre-existing condition in the absence of a diagnosis

Health insurers cannot restrict enrollment, adjust premiums, coverage amounts, or coverage terms based on genetic information



Can't collect an employee's genetic info (exception)

Questions?

Contact the CLRC for
more information about
state and federal laws

866-843-2572