

**Senate File 2360 - Introduced**

SENATE FILE 2360  
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SSB 3138)

**A BILL FOR**

1 An Act relating to the use of genetic information provided  
2 to an insurer that offers health insurance, disability  
3 insurance, life insurance, or long-term care insurance.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 729.6, subsection 1, paragraph g, Code  
2 2024, is amended to read as follows:

3 *g.* ~~"Health insurer"~~ "Insurer" means a carrier, as defined  
4 in [section 513B.2](#), and includes an entity offering a plan  
5 of disability insurance, life insurance, or long-term care  
6 insurance.

7 Sec. 2. Section 729.6, subsection 1, Code 2024, is amended  
8 by adding the following new paragraphs:

9 NEW PARAGRAPH. *0a.* "Disability insurance" means a contract,  
10 policy, or plan for benefits consisting of a payment of a sum  
11 of money to an individual in the event that an illness or  
12 injury results in a disability that prevents the individual  
13 from working.

14 NEW PARAGRAPH. *0j.* "Life insurance" means a contract,  
15 policy, or plan for benefits consisting of a promise by an  
16 insurer, to an individual, for payment of a sum of money to  
17 a designated beneficiary in the event of the death of the  
18 individual.

19 NEW PARAGRAPH. *00j.* "Long-term care insurance" means a  
20 contract, policy, or plan for benefits consisting of a payment  
21 or payments to an individual for qualified long-term care  
22 services, as defined in section 7702B(c) of the Internal  
23 Revenue Code.

24 Sec. 3. Section 729.6, subsection 4, paragraph a,  
25 subparagraph (1), Code 2024, is amended to read as follows:

26 (1) With respect to health insurance, life insurance,  
27 disability insurance, and long-term care insurance, a  
28 third-party administrator or ~~health~~ insurer shall not release  
29 genetic information pertaining to an individual without prior  
30 written authorization of the individual. Written authorization  
31 shall be required for each disclosure and shall include the  
32 person to whom the disclosure is being made.

33 Sec. 4. Section 729.6, subsection 4, paragraph b, Code 2024,  
34 is amended to read as follows:

35 *b.* (1) With respect to health insurance, ~~a health~~ life

1 insurance, disability insurance, and long-term care insurance,  
2 an insurer shall not discriminate against an individual or  
3 a member of the individual's family on the basis of genetic  
4 information or genetic testing.

5 (2) This section shall not require a health an insurer to  
6 provide particular benefits other than those provided under the  
7 terms of the health insurer's plan or coverage. With respect  
8 to health insurance, a health life insurance, disability  
9 insurance, and long-term care insurance, an insurer shall not  
10 consider a genetic propensity, susceptibility, or carrier  
11 status as a preexisting condition for the purpose of limiting  
12 or excluding benefits, establishing rates, or providing  
13 coverage.

14 (3) With respect to health insurance, a health life  
15 insurance, disability insurance, and long-term care insurance,  
16 an insurer shall not use genetic information or genetic testing  
17 for underwriting health insurance, life insurance, disability  
18 insurance, or long-term care insurance in the individual and  
19 group markets.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with  
22 the explanation's substance by the members of the general assembly.

23 This bill relates to genetic information provided to an  
24 insurer that offers health insurance, disability insurance,  
25 life insurance, and long-term care insurance. "Insurer",  
26 "disability insurance", "life insurance", and "long-term care  
27 insurance" are defined in the bill.

28 Under current law, with respect to health insurance, a  
29 third-party administrator or health insurer shall not release  
30 genetic information pertaining to an individual without the  
31 prior written authorization of the individual, and such written  
32 authorization shall be required for each disclosure and shall  
33 include the person to whom the disclosure is being made. The  
34 bill expands the release of genetic information by an insurer  
35 with respect to health insurance, life insurance, disability

1 insurance, or long-term care insurance.

2 Current law prohibits a health insurer, with respect to  
3 health insurance, from discriminating against an individual or  
4 a member of the individual's family on the basis of genetic  
5 information or genetic testing. The bill prohibits the same  
6 discrimination for life insurance, disability insurance, and  
7 long-term care insurance.

8 Under current law, a health insurer is not required to  
9 provide particular benefits, but shall not consider a genetic  
10 propensity, susceptibility, or carrier status as a preexisting  
11 condition for the purposes of health insurance. Under the  
12 bill, the same applies to life insurance, disability insurance,  
13 and long-term care insurance.

14 Current law prohibits a health insurer from using  
15 genetic information or genetic testing for underwriting  
16 health insurance in individual and group markets. The same  
17 prohibition applies to an insurer of life insurance, disability  
18 insurance, or long-term care insurance.