

1 AMENDMENT TO SENATE BILL 42

2 AMENDMENT NO. _____. Amend Senate Bill 42 by replacing
3 the title with the following:

4 "AN ACT in relation to health."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Genetic Information Privacy Act is
8 amended by changing Sections 20 and 25 as follows:

9 (410 ILCS 513/20)

10 Sec. 20. Use of genetic testing information for
11 insurance purposes.

12 (a) An insurer may not seek information derived from
13 genetic testing for use in connection with a policy of
14 accident and health insurance. Except as provided in
15 subsection (b), an insurer that receives information derived
16 from genetic testing may not use the information for a
17 nontherapeutic purpose as it relates to a policy of accident
18 and health insurance.

19 (b) An insurer may consider the results of genetic
20 testing in connection with a policy of accident and health
21 insurance if the individual voluntarily submits the results

1 and the results are favorable to the individual.

2 (c) An insurer that possesses information derived from
3 genetic testing may not release the information to a third
4 party, except as specified in Section 30.

5 (d) An insurer may not use information derived from
6 genetic testing in a manner adverse to the individual tested,
7 regardless of the source of that information.

8 (Source: P.A. 90-25, eff. 1-1-98.)

9 (410 ILCS 513/25)

10 Sec. 25. Use of genetic testing information by
11 employers.

12 (a) An employer shall treat genetic testing information
13 in such a manner that is consistent with the requirements of
14 federal law, including but not limited to the Americans with
15 Disabilities Act.

16 (b) An employer may release genetic testing information
17 only in accordance with Section 30.

18 (c) An employer may not use information derived from
19 genetic testing in a manner adverse to the individual tested,
20 regardless of the source of that information.

21 (Source: P.A. 90-25, eff. 1-1-98.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."