

HOUSE No. 5112

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act prohibiting genetic discrimination.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>11/6/2025</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/5/2026</i>

HOUSE No. 5112

By Representative Rogers of Cambridge, a petition (subject to Joint Rule 12) of David M. Rogers relative to prohibiting genetic discrimination in insurance. Financial Services.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act prohibiting genetic discrimination.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (a) of section 108I of chapter 175 of the General Laws, as
2 appearing in the 2022 Official Edition, is hereby amended by inserting before the definition of
3 “Genetic information” the following definition:-

4 “Discrimination”, the cancellation, refusing to issue or renew, charging any increased
5 rate, restricting any length of coverage or in any way practicing discrimination against persons.

6 SECTION 2. Said section 108I of said chapter 175, as so appearing, is hereby further
7 amended by striking out subsections (b) and (c) and inserting in place thereof the following 2
8 subsections:-

9 (b) No insurer, agent or broker authorized to issue policies against disability from injury
10 or disease or policies providing for long term care in the commonwealth shall discriminate
11 against persons because of the results of a genetic test or the provision of genetic information.

(c) In the provision of insurance against disability from injury or disease or policies providing for long term care in the commonwealth, a company, or officer or agent thereof, or an insurance broker may ask on an application for such coverage whether or not the applicant has taken a genetic test as defined in subsection (a). The applicant shall not be required to answer any questions concerning genetic testing. Any application requesting this information shall contain or be accompanied by language informing the applicant that the applicant shall not be required to answer any questions in connection with genetic testing as defined in said subsection (a). If the applicant chooses to submit genetic information or if genetic information is included in the applicant's medical records, the insurer shall not be authorized to use that information to set the terms of a policy. If the commissioner of insurance has reason to believe that discrimination as defined in subsection (a) has occurred and that a proceeding by the commissioner would be in the interest of the public, the commissioner shall, in accordance with chapter 176D, issue and serve upon the insurer a statement of the charges and a notice of hearing thereon. Upon a determination that the practice or act of the insurer is in conflict with the provisions of this section, the commissioner shall issue an order requiring the insurer to cease and desist from engaging in the practice or act and may order payment of a penalty pursuant to the provisions of chapter 176D.

SECTION 3. Section 120E of said chapter 175, as so appearing, is hereby amended by inserting before the definition of "Genetic information" the following definition:-

"Discrimination", the cancellation, refusing to issue or renew, charging any increased rate, restricting any length of coverage or in any way practicing discrimination against persons.

SECTION 4. Said section 120E of said chapter 175, as so appearing, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: -

No insurer, agent or broker authorized to issue policies on the lives of persons in the commonwealth shall practice discrimination against persons because of the results of a genetic test or the provision of genetic information, as defined in this section.

SECTION 5. Said section 120E of said chapter 175, as so appearing, is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following paragraph: -

In the provision of insurance on the lives of persons in the commonwealth, a company or officer or agent thereof, or an insurance broker may not ask on an application for such coverage whether or not the applicant has taken a genetic test as defined in this section. If the commissioner of insurance has reason to believe that such discrimination as defined in this section has occurred, and that a proceeding by the commissioner would be in the interest of the public, the commissioner shall, in accordance with the provisions of chapter 176D, issue and serve upon the insurer a statement of the charges and a notice of hearing thereon. Upon a determination that the practice or act of the insurer is in conflict with the provisions of this section, the commissioner shall issue an order requiring the insurers to cease and desist from engaging in the practice or act and may order payment of a penalty pursuant to the provisions of chapter 176D.

SECTION 6. Said section 120E of said chapter 175, as so appearing, is hereby further amended by striking out the last paragraph.