

PUBLIC SUBMISSION

As of: December 10, 2008
Received date: Not specified
Status: Pending_Post
Tracking No. 807d4cce
Comments Due: December 09, 2008
Submission Type: Web

Docket: EBSA-2008-0020

Request for Information Regarding Sections 101 Through 104 of the Genetic Information Nondiscrimination Act of 2008

Comment On: EBSA-2008-0020-0001

Request for Information Regarding Sections 101 Through 104 of the Genetic Information Nondiscrimination Act of 2008

Document: EBSA-2008-0020-DRAFT-0004

Comment on FR Doc # E8-24194

Submitter Information

Name: Cheryl Fish-Parcham

Address:

Families USA
1201 New York Avenue NW
Washington, DC, 20005

Email: cparcham@familiesusa.org

Phone: 202-628-3030

Organization: Families USA

General Comment

In implementing regulations, it will be important to address notice to consumers about non-discrimination. We suggest issuance of a model notice that has been tested for readability. People should receive notice both when they apply for insurance and when they are rejected for insurance about their rights under GINA and where to direct complaints if they believe they have been rejected or coverage for treatment has been excluded due to genetic information.

Though the law clearly states that plans are not to use information that they inadvertently receive from providers about family history and genetic testing in medical underwriting, to the extent possible, it would be easier for all concerned if health plan underwriters never received this information. Thus, it may be helpful for you to suggest record keeping systems for health plans and providers that keeps family history and genetic information separate from other medical records that are available to the health plan underwriters.

We look forward to reviewing draft regulations on how you will establish whether a condition is manifested or not, and on how you will coordinate enforcement with state insurance departments. These are important issues for consumers but we do not have a specific suggestion at this time.