

## HR 493

Genetic Information Nondiscrimination Act of 2008

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Civil Rights and Liberties, Minority Issues

**Introduced:** Jan 16, 2007

**Current Status:** Became Public Law No: 110-233.

**Latest Action:** Became Public Law No: 110-233. (May 21, 2008)

**Law:** 110-233 (Enacted May 21, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-bill/493>

### Sponsor

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**Name:** Rep. Slaughter, Louise McIntosh [D-NY-28]

**Party:** Democratic • **State:** NY • **Chamber:** House

**Cosponsors** (224 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Jan 16, 2007
Rep. Alexander, Rodney [R-LA-5]	R · LA		Jan 16, 2007
Rep. Allen, Thomas H. [D-ME-1]	D · ME		Jan 16, 2007
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Rep. Baker, Richard H. [R-LA-6]	R · LA		Jan 16, 2007
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Jan 16, 2007
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Rep. Biggert, Judy [R-IL-13]	R · IL		Jan 16, 2007
Rep. Bilirakis, Gus M. [R-FL-9]	R · FL		Jan 16, 2007
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Jan 16, 2007
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Jan 16, 2007
Rep. Bono, Mary [R-CA-45]	R · CA		Jan 16, 2007
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Jan 16, 2007
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		Jan 16, 2007
Rep. Brown-Waite, Ginny [R-FL-5]	R · FL		Jan 16, 2007
Rep. Burton, Dan [R-IN-5]	R · IN		Jan 16, 2007
Rep. Calvert, Ken [R-CA-44]	R · CA		Jan 16, 2007
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Jan 16, 2007
Rep. Capps, Lois [D-CA-23]	D · CA		Jan 16, 2007
Rep. Capuano, Michael E. [D-MA-8]	D · MA		Jan 16, 2007
Rep. Castle, Michael N. [R-DE-At Large]	R · DE		Jan 16, 2007
Rep. Chabot, Steve [R-OH-1]	R · OH		Jan 16, 2007
Rep. Chandler, Ben [D-KY-6]	D · KY		Jan 16, 2007
Rep. Cole, Tom [R-OK-4]	R · OK		Jan 16, 2007
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Jan 16, 2007
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Jan 16, 2007
Rep. Crowley, Joseph [D-NY-7]	D · NY		Jan 16, 2007
Rep. Davis, Geoff [R-KY-4]	R · KY		Jan 16, 2007
Rep. Davis, Susan A. [D-CA-53]	D · CA		Jan 16, 2007
Rep. Davis, Tom [R-VA-11]	R · VA		Jan 16, 2007
Rep. DeGette, Diana [D-CO-1]	D · CO		Jan 16, 2007
Rep. Dicks, Norman D. [D-WA-6]	D · WA		Jan 16, 2007
Rep. Dingell, John D. [D-MI-15]	D · MI		Jan 16, 2007
Rep. Doggett, Lloyd [D-TX-25]	D · TX		Jan 16, 2007
Rep. Drake, Thelma D. [R-VA-2]	R · VA		Jan 16, 2007
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Jan 16, 2007
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Jan 16, 2007
Rep. Emanuel, Rahm [D-IL-5]	D · IL		Jan 16, 2007
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Jan 16, 2007
Rep. Engel, Eliot L. [D-NY-17]	D · NY		Jan 16, 2007
Rep. English, Phil [R-PA-3]	R · PA		Jan 16, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Jan 16, 2007
Rep. Farr, Sam [D-CA-17]	D · CA		Jan 16, 2007
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		Jan 16, 2007
Rep. Frelinghuysen, Rodney P. [R-NJ-11]	R · NJ		Jan 16, 2007
Rep. Gallegly, Elton [R-CA-24]	R · CA		Jan 16, 2007
Rep. Gerlach, Jim [R-PA-6]	R · PA		Jan 16, 2007
Rep. Gilchrest, Wayne T. [R-MD-1]	R · MD		Jan 16, 2007
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Jan 16, 2007
Rep. Gohmert, Louie [R-TX-1]	R · TX		Jan 16, 2007
Rep. Granger, Kay [R-TX-12]	R · TX		Jan 16, 2007
Rep. Green, Gene [D-TX-29]	D · TX		Jan 16, 2007
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Jan 16, 2007
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Jan 16, 2007
Rep. Hastings, Doc [R-WA-4]	R · WA		Jan 16, 2007
Rep. Herger, Wally [R-CA-2]	R · CA		Jan 16, 2007
Rep. Herseth, Stephanie [D-SD-At Large]	D · SD		Jan 16, 2007
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Jan 16, 2007
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Jan 16, 2007
Rep. Hobson, David L. [R-OH-7]	R · OH		Jan 16, 2007
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Jan 16, 2007
Rep. Holt, Rush [D-NJ-12]	D · NJ		Jan 16, 2007
Rep. Hooley, Darlene [D-OR-5]	D · OR		Jan 16, 2007
Rep. Hunter, Duncan [R-CA-52]	R · CA		Jan 16, 2007
Rep. Israel, Steve [D-NY-2]	D · NY		Jan 16, 2007
Rep. Jindal, Bobby [R-LA-1]	R · LA		Jan 16, 2007
Rep. Johnson, Timothy V. [R-IL-15]	R · IL		Jan 16, 2007
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Jan 16, 2007
Rep. Kanjorski, Paul E. [D-PA-11]	D · PA		Jan 16, 2007
Rep. Kennedy, Patrick J. [D-RI-1]	D · RI		Jan 16, 2007
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Jan 16, 2007
Rep. King, Peter T. [R-NY-3]	R · NY		Jan 16, 2007
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Jan 16, 2007
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Jan 16, 2007
Rep. Kuhl, John R. "Randy", Jr. [R-NY-29]	R · NY		Jan 16, 2007
Rep. LaHood, Ray [R-IL-18]	R · IL		Jan 16, 2007
Rep. Latham, Tom [R-IA-4]	R · IA		Jan 16, 2007
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		Jan 16, 2007
Rep. Lewis, Ron [R-KY-2]	R · KY		Jan 16, 2007
Rep. Lipinski, Daniel [D-IL-3]	D · IL		Jan 16, 2007
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Jan 16, 2007
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Jan 16, 2007
Rep. Lucas, Frank D. [R-OK-3]	R · OK		Jan 16, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Jan 16, 2007
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Jan 16, 2007
Rep. Marchant, Kenny [R-TX-24]	R · TX		Jan 16, 2007
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Jan 16, 2007
Rep. McCollum, Betty [D-MN-4]	D · MN		Jan 16, 2007
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Jan 16, 2007
Rep. McHugh, John M. [R-NY-23]	R · NY		Jan 16, 2007
Rep. McNulty, Michael R. [D-NY-21]	D · NY		Jan 16, 2007
Rep. Mica, John L. [R-FL-7]	R · FL		Jan 16, 2007
Rep. Miller, George [D-CA-7]	D · CA		Jan 16, 2007
Rep. Moran, James P. [D-VA-8]	D · VA		Jan 16, 2007
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Jan 16, 2007
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Jan 16, 2007
Rep. Norwood, Charles W. [R-GA-10]	R · GA		Jan 16, 2007
Rep. Olver, John W. [D-MA-1]	D · MA		Jan 16, 2007
Rep. Pearce, Stevan [R-NM-2]	R · NM		Jan 16, 2007
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Jan 16, 2007
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Jan 16, 2007
Rep. Porter, Jon C. [R-NV-3]	R · NV		Jan 16, 2007
Rep. Price, David E. [D-NC-4]	D · NC		Jan 16, 2007
Rep. Pryce, Deborah [R-OH-15]	R · OH		Jan 16, 2007
Rep. Putnam, Adam H. [R-FL-12]	R · FL		Jan 16, 2007
Rep. Ramstad, Jim [R-MN-3]	R · MN		Jan 16, 2007
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Jan 16, 2007
Rep. Regula, Ralph [R-OH-16]	R · OH		Jan 16, 2007
Rep. Reichert, David G. [R-WA-8]	R · WA		Jan 16, 2007
Rep. Reynolds, Thomas M. [R-NY-26]	R · NY		Jan 16, 2007
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Jan 16, 2007
Rep. Roskam, Peter J. [R-IL-6]	R · IL		Jan 16, 2007
Rep. Ryan, Paul [R-WI-1]	R · WI		Jan 16, 2007
Rep. Saxton, Jim [R-NJ-3]	R · NJ		Jan 16, 2007
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jan 16, 2007
Rep. Schiff, Adam B. [D-CA-29]	D · CA		Jan 16, 2007
Rep. Sessions, Pete [R-TX-32]	R · TX		Jan 16, 2007
Rep. Shays, Christopher [R-CT-4]	R · CT		Jan 16, 2007
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Jan 16, 2007
Rep. Solis, Hilda L. [D-CA-32]	D · CA		Jan 16, 2007
Rep. Souder, Mark E. [R-IN-3]	R · IN		Jan 16, 2007
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Jan 16, 2007
Rep. Tancredo, Thomas G. [R-CO-6]	R · CO		Jan 16, 2007
Rep. Thompson, Mike [D-CA-1]	D · CA		Jan 16, 2007
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Jan 16, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Tierney, John F. [D-MA-6]	D · MA		Jan 16, 2007
Rep. Udall, Tom [D-NM-3]	D · NM		Jan 16, 2007
Rep. Upton, Fred [R-MI-6]	R · MI		Jan 16, 2007
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Jan 16, 2007
Rep. Walden, Greg [R-OR-2]	R · OR		Jan 16, 2007
Rep. Walsh, James T. [R-NY-25]	R · NY		Jan 16, 2007
Rep. Wamp, Zach [R-TN-3]	R · TN		Jan 16, 2007
Rep. Watson, Diane E. [D-CA-33]	D · CA		Jan 16, 2007
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Jan 16, 2007
Rep. Weller, Jerry [R-IL-11]	R · IL		Jan 16, 2007
Rep. Wexler, Robert [D-FL-19]	D · FL		Jan 16, 2007
Rep. Whitfield, Ed [R-KY-1]	R · KY		Jan 16, 2007
Rep. Wicker, Roger F. [R-MS-1]	R · MS		Jan 16, 2007
Rep. Wilson, Joe [R-SC-2]	R · SC		Jan 16, 2007
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Jan 16, 2007
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Jan 16, 2007
Rep. Yarmuth, John A. [D-KY-3]	D · KY		Jan 16, 2007
Rep. Young, C. W. Bill [R-FL-10]	R · FL		Jan 16, 2007
Rep. Castor, Kathy [D-FL-11]	D · FL		Jan 18, 2007
Rep. Davis, Jo Ann [R-VA-1]	R · VA		Jan 18, 2007
Rep. Hoyer, Steny H. [D-MD-5]	D · MD		Jan 18, 2007
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Jan 19, 2007
Rep. Feeney, Tom [R-FL-24]	R · FL		Jan 19, 2007
Rep. Meehan, Martin T. [D-MA-5]	D · MA		Jan 19, 2007
Rep. Poe, Ted [R-TX-2]	R · TX		Jan 19, 2007
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Jan 19, 2007
Rep. McGovern, James P. [D-MA-3]	D · MA		Jan 23, 2007
Rep. Oberstar, James L. [D-MN-8]	D · MN		Jan 23, 2007
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Jan 23, 2007
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Jan 23, 2007
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Jan 24, 2007
Rep. Frank, Barney [D-MA-4]	D · MA		Jan 24, 2007
Rep. Harman, Jane [D-CA-36]	D · CA		Jan 24, 2007
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Jan 24, 2007
Rep. Larson, John B. [D-CT-1]	D · CT		Jan 24, 2007
Rep. Lewis, John [D-GA-5]	D · GA		Jan 24, 2007
Rep. Miller, Brad [D-NC-13]	D · NC		Jan 24, 2007
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Jan 24, 2007
Rep. Schwartz, Allyson Y. [D-PA-13]	D · PA		Jan 24, 2007
Rep. Towns, Edolphus [D-NY-10]	D · NY		Jan 24, 2007
Rep. Berman, Howard L. [D-CA-28]	D · CA		Jan 29, 2007
Rep. Berry, Marion [D-AR-1]	D · AR		Jan 29, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Jan 29, 2007
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Jan 29, 2007
Rep. Hare, Phil [D-IL-17]	D · IL		Jan 29, 2007
Rep. Higgins, Brian [D-NY-27]	D · NY		Jan 29, 2007
Rep. Langevin, James R. [D-RI-2]	D · RI		Jan 29, 2007
Rep. Levin, Sander M. [D-MI-12]	D · MI		Jan 29, 2007
Rep. Lowey, Nita M. [D-NY-18]	D · NY		Jan 29, 2007
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jan 29, 2007
Rep. McDermott, Jim [D-WA-7]	D · WA		Jan 29, 2007
Rep. Moore, Dennis [D-KS-3]	D · KS		Jan 29, 2007
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Jan 29, 2007
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Jan 29, 2007
Rep. Spratt, John M., Jr. [D-SC-5]	D · SC		Jan 29, 2007
Rep. Wu, David [D-OR-1]	D · OR		Jan 29, 2007
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Jan 31, 2007
Rep. Courtney, Joe [D-CT-2]	D · CT		Jan 31, 2007
Rep. Gordon, Bart [D-TN-6]	D · TN		Jan 31, 2007
Rep. Murtha, John P. [D-PA-12]	D · PA		Jan 31, 2007
Rep. Boucher, Rick [D-VA-9]	D · VA		Feb 5, 2007
Rep. Costello, Jerry F. [D-IL-12]	D · IL		Feb 5, 2007
Rep. Kind, Ron [D-WI-3]	D · WI		Feb 5, 2007
Rep. Sestak, Joe [D-PA-7]	D · PA		Feb 5, 2007
Rep. Abercrombie, Neil [D-HI-1]	D · HI		Feb 6, 2007
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Feb 6, 2007
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Feb 6, 2007
Rep. Sherman, Brad [D-CA-27]	D · CA		Feb 6, 2007
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Feb 12, 2007
Rep. Doyle, Michael F. [D-PA-14]	D · PA		Feb 12, 2007
Rep. Markey, Edward J. [D-MA-7]	D · MA		Feb 12, 2007
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Feb 12, 2007
Rep. Berkley, Shelley [D-NV-1]	D · NV		Feb 13, 2007
Rep. Loebsack, David [D-IA-2]	D · IA		Feb 13, 2007
Rep. Musgrave, Marilyn N. [R-CO-4]	R · CO		Feb 13, 2007
Rep. Stupak, Bart [D-MI-1]	D · MI		Feb 14, 2007
Rep. Sutton, Betty [D-OH-13]	D · OH		Feb 14, 2007
Rep. Cohen, Steve [D-TN-9]	D · TN		Feb 15, 2007
Rep. Melancon, Charlie [D-LA-3]	D · LA		Feb 15, 2007
Rep. Obey, David R. [D-WI-7]	D · WI		Feb 15, 2007
Rep. Matheson, Jim [D-UT-2]	D · UT		Feb 27, 2007
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Feb 27, 2007
Rep. Tauscher, Ellen O. [D-CA-10]	D · CA		Feb 27, 2007
Rep. Cramer, Robert E. (Bud), Jr. [D-AL-5]	D · AL		Mar 5, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Etheridge, Bob [D-NC-2]	D · NC		Mar 5, 2007
Rep. Ross, Mike [D-AR-4]	D · AR		Mar 5, 2007
Rep. Wynn, Albert Russell [D-MD-4]	D · MD		Mar 5, 2007
Rep. Bean, Melissa L. [D-IL-8]	D · IL		Mar 8, 2007
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Mar 8, 2007
Rep. Davis, Danny K. [D-IL-7]	D · IL		Mar 9, 2007
Rep. Altmire, Jason [D-PA-4]	D · PA		Mar 14, 2007
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Mar 19, 2007
Rep. Cooper, Jim [D-TN-5]	D · TN		Mar 19, 2007
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Mar 19, 2007
Rep. Inslee, Jay [D-WA-1]	D · WA		Mar 22, 2007
Rep. Udall, Mark [D-CO-2]	D · CO		Mar 23, 2007
Rep. Davis, Artur [D-AL-7]	D · AL		Mar 26, 2007
Rep. Hill, Baron P. [D-IN-9]	D · IN		Mar 26, 2007
Rep. Fattah, Chaka [D-PA-2]	D · PA		Mar 29, 2007

### Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported By	Mar 5, 2007
Energy and Commerce Committee	House	Reported by	Mar 13, 2007
Ways and Means Committee	House	Reported By	Mar 26, 2007

### Subjects & Policy Tags

#### Policy Area:

Civil Rights and Liberties, Minority Issues

### Related Bills

Bill	Relationship	Last Action
110 HR 1424	Related bill	<b>Oct 3, 2008:</b> Became Public Law No: 110-343.
110 HCONRES 340	Related bill	<b>May 2, 2008:</b> Message on Senate action sent to the House.
110 HRES 1156	Related bill	<b>May 1, 2008:</b> Motion to reconsider laid on the table Agreed to without objection.
110 HRES 1167	Related bill	<b>May 1, 2008:</b> Motion to reconsider laid on the table Agreed to without objection.
110 S 358	Identical bill	<b>Apr 10, 2007:</b> By Senator Kennedy from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 110-48.

**(This measure has not been amended since it was passed by the Senate on April 24, 2008. The summary of that version is repeated here, with changes reflecting enrollment corrections.)**

Genetic Information Nondiscrimination Act of 2008 - **Title I: Genetic Nondiscrimination in Health Insurance** - (Sec. 101) Amends the Employee Retirement Income Security Act of 1974 (ERISA), the Public Health Service Act (PHSA), and the Internal Revenue Code to prohibit a group health plan from adjusting premium or contribution amounts for a group on the basis of genetic information.

Prohibits a group health plan from requesting or requiring an individual or family member of an individual from undergoing a genetic test. Provides that such prohibition does not: (1) limit the authority of a health care professional to request an individual to undergo a genetic test; or (2) preclude a group health plan from obtaining or using the results of a genetic test in making a determination regarding payment. Requires the plan to request only the minimum amount of information necessary to accomplish the intended purpose.

Allows a group health plan to request, but not require, a participant or beneficiary to undergo a genetic test for research purposes if certain requirements are met, including: (1) the plan clearly indicates that compliance is voluntary and that noncompliance will have no effect on enrollment status or premium or contribution amounts; (2) no genetic information collected or acquired is used for underwriting purposes; and (3) the plan notifies the Secretary of Health and Human Services that it is conducting activities pursuant to this exception and includes a description of the activities.

Prohibits a group health plan from requesting, requiring, or purchasing genetic information: (1) for underwriting purposes; or (2) with respect to any individual prior to such individual's enrollment in connection with such enrollment (provides that incidentally obtains such information is not a violation).

Applies such prohibitions to all group health plans, including small group health plans.

Provides that any reference to genetic information concerning an individual or family member includes genetic information of: (1) a fetus carried by a pregnant woman; and (2) an embryo legally held by an individual or family member utilizing an assisted reproductive technology.

Authorizes a penalty against any sponsor of a group health plan for any failure to meet requirements of this Act. Allows a waiver or limitation on such penalty if the failure was not discovered after exercising reasonable diligence or was due to reasonable cause.

(Sec. 102) Amends the PHSA to prohibit: (1) a health insurance issuer offering health insurance coverage in the individual market from establishing eligibility rules for enrollment based on genetic information; (2) discrimination on the basis of genetic information for health insurance offered in the individual market in the same manner as such discrimination is prohibited for group coverage; and (3) the imposition by a health insurance issuer offering health insurance coverage in the individual market of a preexisting condition exclusion on the basis of genetic information.

Applies such requirements to nonfederal governmental plans.

(Sec. 104) Amends title XVIII (Medicare) of the Social Security Act (SSA) to prohibit an issuer of a Medicare supplemental policy, on the basis of genetic information, from: (1) denying or conditioning the issuance or effectiveness of the policy, including the imposition of any exclusion of benefits based on a preexisting condition; or (2) discriminating in



the pricing of the policy, including the adjustment of premium rates.

Prohibits an issuer of a Medicare supplemental policy from: (1) requesting or requiring an individual or a family member to undergo a genetic test; or (2) requesting, requiring, or purchasing genetic information for underwriting purposes or for any individual prior to enrollment.

(Sec. 105) Amends title XI (General Provisions, Peer Review, and Administrative Simplification) of SSA to require the Secretary of Health and Human Services to revise Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy regulations to: (1) treat genetic information as health information; and (2) prohibit the use or disclosure by a group health plan, health insurance coverage, or Medicare supplemental policy of genetic information about an individual for underwriting purposes.

(Sec. 106) Requires the Secretaries of Health and Human Services, Labor, and the Treasury to ensure that their regulations, rulings, and interpretations under this title are administered so as to have the same effect at all times and that they adopt a coordinated enforcement strategy.

**Title II: Prohibiting Employment Discrimination on the Basis of Genetic Information** - (Sec. 202) Prohibits, as an unlawful employment practice, an employer, employment agency, labor organization, or joint labor-management committee from discriminating against an employee, individual, or member because of genetic information, including: (1) for an employer, by failing to hire or discharging an employee or otherwise discriminating against an employee with respect to the compensation, terms, conditions, or privileges of employment; (2) for an employment agency, by failing or refusing to refer an individual for employment; (3) for a labor organization, by excluding or expelling a member from the organization; (4) for an employment agency, labor organization, or joint labor-management committee, by causing or attempting to cause an employer to discriminate against a member in violation of this Act; or (5) for an employer, labor organization, or joint labor-management committee, by discriminating against an individual in admission to, or employment in, any program established to provide apprenticeships or other training or retraining.

Prohibits, as an unlawful employment practice, an employer, employment agency, labor organization, or joint labor-management committee from limiting, segregating, or classifying employees, individuals, or members because of genetic information in any way that would deprive or tend to deprive such individuals of employment opportunities or otherwise adversely affect their status as employees.

Prohibits, as an unlawful employment practice, an employer, employment agency, labor organization, or joint labor-management committee from requesting, requiring, or purchasing an employee's genetic information, except for certain purposes, which include where: (1) such information is requested or required to comply with certification requirements of family and medical leave laws; (2) the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace; and (3) the employer conducts DNA analysis for law enforcement purposes as a forensic laboratory or for purposes of human remains identification.

(Sec. 206) Requires an employer, employment agency, labor organization, or joint labor-management committee that possesses any genetic information about an employee or member to maintain such information in separate files and treat such information as a confidential medical record.

Prohibits an employer, employment agency, labor organization, or joint labor-management committee from disclosing such genetic information, except: (1) to the employee or member upon request; (2) to an occupational or other health researcher; (3) in response to a court order; (4) to a government official investigating compliance with this Act if the information is relevant to the investigation; (5) in connection with the employee's compliance with the certification

provisions of the Family and Medical Leave Act of 1993 or such requirements under state family and medical leave laws; or (6) to a public health agency.

(Sec. 207) Sets forth provisions regarding enforcement of this Act.

(Sec. 208) Provides that disparate impact on the basis of genetic information does not establish a cause of action under this Act.

Establishes the Genetic Nondiscrimination Study Commission six years after enactment of this Act to review the developing science of genetics and to make recommendations to Congress regarding whether to provide a disparate impact cause of action under this Act. Authorizes appropriations to the Equal Employment Opportunity Commission (EEOC) to carry out this section.

(Sec. 212) Authorizes appropriations.

**Title III: Miscellaneous Provisions** - (Sec. 301) Provides that if any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act shall not be affected.

(Sec. 302) Amends the Fair Labor Standards Act of 1938 to increase the maximum employer penalty for violations involving oppressive child labor provisions or certain child labor safety requirements. Establishes an additional civil penalty for any such violation that causes the death or serious injury of an employee under the age of 18, which may be doubled for a repeated or willful violation.

Defines "serious injury" as: (1) permanent loss or substantial impairment of one of the senses or of the function of a bodily member, organ, or mental faculty; or (2) permanent paralysis or substantial impairment that causes loss of movement or mobility of a body part.

Increases the maximum civil penalty for any repeated or willful violation of minimum wage or maximum hours requirements.

## Actions Timeline

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- **May 21, 2008:** Signed by President.
- **May 21, 2008:** Became Public Law No: 110-233.
- **May 19, 2008:** Presented to President.
- **May 1, 2008:** Mr. Miller, George moved that the House agree to the Senate amendment. (consideration: CR H2961-2980)
- **May 1, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1156, the House proceeded with one hour of debate on the George Miller (CA) motion to agree to the Senate amendment to H.R. 493.
- **May 1, 2008:** Resolving differences -- House actions: On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 414 - 1 (Roll no. 234).(text as House agreed to Senate amendment: CR H2961-2972)
- **May 1, 2008:** On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 414 - 1 (Roll no. 234). (text as House agreed to Senate amendment: CR H2961-2972)
- **May 1, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **May 1, 2008:** Pursuant to the provisions of H. Con. Res. 340, enrollment corrections on H.R. 493 have been made.
- **May 1, 2008:** Cleared for White House.
- **Apr 29, 2008:** Papers returned to Senate
- **Apr 29, 2008:** Message on Senate action sent to the House.
- **Apr 28, 2008:** Senate requests return of papers with respect to H.R. 493 by Unanimous Consent.
- **Apr 28, 2008:** Message on Senate action sent to the House.
- **Apr 24, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S3363-3375)
- **Apr 24, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 95 - 0. Record Vote Number: 113.
- **Apr 24, 2008:** Passed Senate with an amendment by Yea-Nay Vote. 95 - 0. Record Vote Number: 113.
- **Apr 24, 2008:** Message on Senate action sent to the House.
- **Apr 30, 2007:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 125.
- **Apr 26, 2007:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Apr 25, 2007:** Mr. Miller, George moved to suspend the rules and pass the bill, as amended.
- **Apr 25, 2007:** Considered under suspension of the rules. (consideration: CR H4083-4101)
- **Apr 25, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 493.
- **Apr 25, 2007:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Apr 25, 2007:** Considered as unfinished business. (consideration: CR H4108)
- **Apr 25, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 420 - 3 (Roll no. 261).(text: CR H4083-4094)
- **Apr 25, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 25, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 420 - 3 (Roll no. 261). (text: CR H4083-4094)
- **Apr 19, 2007:** Supplemental report filed by the Committee on Energy and Commerce, H. Rept. 110-28, Part IV.
- **Mar 29, 2007:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-28, Part III.
- **Mar 29, 2007:** Placed on the Union Calendar, Calendar No. 46.
- **Mar 26, 2007:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-28, Part II.
- **Mar 26, 2007:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than March 29, 2007.
- **Mar 23, 2007:** Committee Consideration and Mark-up Session Held.
- **Mar 23, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 23, 2007:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than March 26, 2007.
- **Mar 23, 2007:** House Committee on Ways and Means Granted an extension for further consideration ending not later than March 26, 2007.
- **Mar 22, 2007:** Committee Consideration and Mark-up Session Held.
- **Mar 21, 2007:** Committee Consideration and Mark-up Session Held.

- Mar 21, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 13, 2007:** Subcommittee Consideration and Mark-up Session Held.
  - **Mar 13, 2007:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
  - **Mar 8, 2007:** Subcommittee Hearings Held.
  - **Mar 5, 2007:** Reported (Amended) by the Committee on Education and Labor. H. Rept. 110-28, Part I.
  - **Mar 5, 2007:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than March 23, 2007.
  - **Mar 5, 2007:** House Committee on Ways and Means Granted an extension for further consideration ending not later than March 23, 2007.
  - **Feb 14, 2007:** Committee Consideration and Mark-up Session Held.
  - **Feb 14, 2007:** Ordered to be Reported (Amended) by Voice Vote.
  - **Feb 2, 2007:** Referred to the Subcommittee on Health.
  - **Jan 16, 2007:** Introduced in House
  - **Jan 16, 2007:** Sponsor introductory remarks on measure. (CR E120-121)
  - **Jan 16, 2007:** Referred to the Committee on Education and Labor, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.