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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 26-H 7861, RELATING TO INSURANCE – LIFE INSURANCE POLICIES AND RESERVES April 2, 2026

The ACLU of Rhode Island supports this legislation which would prohibit the use of genetic information for purposes of determining eligibility, setting premium rates, or imposing preexisting condition exclusions for life insurance, disability insurance, or long-term care insurance. This legislation builds on the existing statutory prohibition on using this information for health insurance rates, ensuring more comprehensive protections for individuals.¹

Genetic testing can be a powerful tool in determining an individual's risk for cancer or other inherited diseases or determinative genetic traits. With that knowledge, a person can make lifestyle changes or seek further medical treatment to potentially combat the risk of disease.

However, while genetic testing is informative about the potential health challenges a person may face in their lifetime, it's not a guarantee that they will develop that illness. Despite that uncertainty, insurance companies can still use that information to set insurance premium rates based on possibilities rather than actual health outcomes.

In a way, the potential for insurers to use genetic information disincentivizes people to learn about their own health. Those who could benefit from knowing this information about themselves may not partake in this testing for fear of the impact it could have on their insurance rates. As such, this legislation would ensure that Rhode Islanders are not forced to choose between understanding their genetic risks and maintaining access to affordable insurance.

Thank you for considering our views.

¹ R.I.G.L. § 27-20-39.1