



National Human Genome Research Institute

Genetic Information Nondiscrimination Act Patient Resource

What is GINA?

GINA stands for the Genetic Information Nondiscrimination Act. GINA is a federal law that creates a safeguard from genetic discrimination in employment and health insurance. GINA makes it illegal for employers and insurance companies to obtain your genetic information or use your genetic information to discriminate against you.

What is genetic information?

Genetic information includes the results from your genetic tests, the results from genetic tests taken by your family members' genetic tests and information about diseases or disorders that run in your family.

What is genetic discrimination?

Genetic discrimination occurs when people are treated differently by their employers or insurance companies based on their genetic makeup, such as having a genetic predisposition to develop a genetic disorder.

How does GINA protect you from discrimination in health insurance?

GINA makes it illegal for health insurers to:

1. Ask and require you to take a genetic test or disclose your genetic information for underwriting purposes.
2. Use your genetic information to determine your eligibility for insurance.
3. Use your genetic information to determine your insurance premium which is how much an individual will pay for insurance.

How does GINA protect you from discrimination in employment?

GINA makes it illegal for prospective and current employers to:

1. Ask and require you to take a genetic test or disclose your genetic information.
2. Use your genetic information in decisions to hire, assign, promote, and fire you.

Are there any exclusions for GINA?

- GINA's employment nondiscrimination protections do not apply to companies with fewer than 15 employees.
- The military is permitted to use your genetic information to make employment decisions. If you receive TRICARE insurance health insurance, your eligibility depends on your continued employment in the military. This means your genetic information may indirectly affect your ability to receive TRICARE insurance.
- Some employers offer employee wellness programs. These programs are permitted to request genetic information from the employees that participate.
- GINA's health insurance nondiscrimination protections do not apply to life, long term care and disability insurance.

Does your state have genetic discrimination laws in addition to GINA?

- Because GINA is a federal law, it applies across the United States. However, all 50 states have passed laws that go beyond GINA and apply only to their states. For example, California passed a law called the California Genetic Information Nondiscrimination Act, which prohibits genetic discrimination in housing business facilities, state entities, and emergency services. It also prohibits genetic discrimination against people receiving financial aid from the state.
- To find the genetic nondiscrimination laws in your state, visit the Genome Statute and Legislation Database: <https://www.genome.gov/legislatedatabase>.



To learn more about GINA and genetic discrimination, visit <https://www.genome.gov/genetic-discrimination>

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