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FISCAL IMPACT REPORT



SPONSOR: Picraux DATE TYPED: 2/1/02 HB HJM 24

SHORT TITLE: Use of Genetic Information Task Force SB _____

ANALYST: Dunbar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
		\$0.1	See Narrative		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received From

Department of Health (DOH)
 Health Policy Commission (HPC)
 Attorney General Office (AGO)

SUMMARY

Synopsis of Bill

House Joint Memorial 24 requests that the Office of the Attorney General convene a task force composed of representatives from the Insurance Division of the Public Regulation Commission, the Workers' Compensation Administration, the insurance industry, labor, the general public and others to examine the use of genetic information. The task force would make recommendations as to the use of privacy, confidentiality, and legal protection of genetic information. A report of findings and recommendations would be required by October 1, 2002 to the legislative health and human services committee or appropriate interim committee.

Significant Issues

DOH explains that the progress made by the Biotech industry and the Human Genome Project has accelerated the identification and diagnosis of genetic disorders and their genetic dispositions readily available to multiple agencies without safety nets in place. This genetic information may be use-

ful for the individual and health care professionals, but may be harmful when given to private agencies, corporations and/or individuals who do not need and do not know how to appropriately assess this information.

AGO points out that the use and misuse of genetic information is evolving more rapidly than the public and legal policy of New Mexico. This House Joint Memorial has the potential to ensure that the use of genetic information will be determined by public and legal policy, rather than those entities that seek to profit from the use of genetic information at the expense of patients and other consumers.

FISCAL IMPLICATIONS

The bill does not contain an appropriation and the AGO questions its budgetary and administrative ability to discharge this responsibility.

ADMINISTRATIVE IMPLICATIONS

Staff participation in the task force must be done with existing resources.

OTHER SUBSTANTIVE ISSUES

The Department of Health supports this bill as there is a lack of genetic health care infrastructure in our state, including geneticists, genetic counselors, bioethicists, nurses, obstetricians, fertility providers, in both the private and governmental agencies.

One the primary goals of all Public Health Agencies are to promote health and sound health policy. Systems need to be developed to protect our citizens against genetic discrimination.

The task force membership should include consumers and members of the medical community, like geneticists, ethicists, genetic counselors and nurses from the governmental and nongovernmental agencies.

The federal Health Insurance Portability Act of 1996 prohibits the use of genetic information in health insurance, but does not address its use in other types of insurance.

BD/njw