



## Insurers, Exceptions, and Confidentiality

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Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee  
Municipal Technical Advisory Service  
1610 University Avenue  
Knoxville, TN 37921-6741  
865-974-0411 phone  
865-974-0423 fax  
[www.mtas.tennessee.edu](http://www.mtas.tennessee.edu)

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## Insurers, Exceptions, and Confidentiality

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### **Health Insurers**

Health insurers may not require individuals to provide their genetic information or the genetic information of a family member to the insurer for eligibility, coverage, underwriting, or premium setting standards. Health insurers may not request or require that an individual or an individual's family member undergo a genetic test.

### **Research Exception**

There is a research exception. For joint research activities covered by health insurers and other external research entities, a health insurer in either the group or individual market may request, but not require, in writing that an individual undergo a genetic test. The individual may voluntarily elect to participate in such a genetic test, but noncompliance must have no negative affect on the premium or enrollment status of the individual. Genetic information may only be used for research. Genetic information may not be used for underwriting purposes.

### **Confidentiality**

An individual's medical information must be maintained in separate files and be kept confidential. Genetic information may not be disclosed except at the individual's written request or in response to a court order. In addition an employer may be required to provide information to federal, state or local authorities.

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*DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.*

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