PUBLIC SUBMISSION

Docket: IRS-2008-0103
Request for Information Regarding Sections 101 Through 104 of the Genetic Information Nondiscrimination Act of 2008

Comment On: IRS-2008-0103-0017
Interim Final Rules Prohibiting Discrimination Based on Genetic Information in Health Insurance Coverage and Group Health Plans

Document: IRS-2008-0103-0049
Comment on FR Doc # E9-22504

Submitter Information

General Comment

GINA Interim Final Rule Comments

Attachments

IRS-2008-0103-0049.1: Comment on FR Doc # E9-22504
From the Desk of Janet Huy nh

Timothy Geithner
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cc: Robert Kocher, MD, Special Assistant to the President, National Economic Council, The White House
    Ezekiel Emanuel, MD, Special Advisor for Health Policy, Office of the Director, Office of Management and
    Budget

To Whom It May Concern:

The improper use of genetic information in hiring practices and in the provision and pricing of health insurance is a
very real concern. The Genetic Information Nondiscrimination Act (GINA) attempts to combat this issue.
Unfortunately, the Oct. 7, 2009, GINA interim final rule will may hinder the progress we are making on protecting
patients rights and advancing individuals' access to medical knowledge and information that could help protect
themselves by promoting a healthy lifestyle and informing them of any medical risks they may face in the future.

The Oct. 7, 2009, joint interim final rule from the three departments bars health plans, employers and others from
collecting family medical history for "underwriting purposes." GINA guidelines will exclude family medical history
from Health Risk Assessment programs. However, this stipulation is directly in conflict with the overall goal of any
HRA. In order to accurately assess a patient's current and potential health risks, information is vital. Excluding any
personal information, such as family medical history drastically reduces the effectiveness of the HRA.

HRAs are an important factor in helping individuals learn about, and maintain a healthy lifestyle. The exclusion of
personal information will only hinder the overall goal of advancing individuals' health and well being. The departments
of Health and Human Services, Labor and the Treasury must delay implementation and enforcement of the interim
final rule and evaluate, through an interagency panel, the rule's potential impact on workplace health promotion
programs.

Sincerely,

Janet Huy nh

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