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The Next Wave of Privacy Litigation: The Illinois Genetic Information Privacy Act



Enacted in 1998, Illinois' Genetic Information Privacy Act (GIPA) governs the confidentiality and use of genetic testing and genetic information by employers and insurers.

The statute was designed to prevent employers and insurers from using genetic testing and information as a means of discrimination. To that end, GIPA prohibits employers and their agents from directly or indirectly soliciting, requesting, requiring, or purchasing genetic testing and genetic information from a person as a condition of employment or from using such information in a discriminatory manner against an employee or applicant. The statute similarly prohibits insurers from seeking information derived from genetic testing for use in connection with a "policy of accident and health insurance."

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