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Docket: IRS-2008-0103Request for Information Regarding Sections 101 Through 104 of the Genetic Information
Nondiscrimination Act of 2008**Comment On:** IRS-2008-0103-0017Interim Final Rules Prohibiting Discrimination Based on Genetic Information in Health Insurance
Coverage and Group Health Plans**Document:** IRS-2008-0103-0025

Comment on FR Doc # E9-22504

Submitter Information**Name:** Michael Wood**Address:**Watson Wyatt & Co.
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General Comment

RE: RIN 1210-AB27

Attachments**IRS-2008-0103-0025.1:** Comment on FR Doc # E9-22504



November 23, 2009

Office of Health Plan Standards and Compliance Assistance
Employee Benefits Security Administration, Room N-5653
United States Department of Labor
200 Constitution Avenue, NW
Washington D.C. 20210

Attention: Regulatory Information Number 1210-AB27

I am writing to respectfully request that the interim final rules for GINA (the Genetic Information Nondiscrimination Act) be rescinded.

I am a health & productivity consultant who specializes in providing strategic and tactical advice to large employers on employee health risk reduction, early detection and chronic condition management. These rules will have very detrimental effects with employer health education programs:

- Family medical history is vital for health assessments (health risk assessments)
- Incentives for completion of assessments are vital to drive participation
- The regulations run counter to the ability for plans to control costs and improve quality

I understand and support the intent of the Act and Rules to prohibit discrimination on the basis of genetic and family history information. However, there is a serious and potentially life-threatening unintended consequence to prohibiting this information from being collected and used for educational purposes only: The health risk assessments will OMIT any information about the importance of a genetically at-risk participant needing to consult their health care provider about appropriate, more frequent screenings and health care because of their family history. Without this information and advice, genetically at-risk participants will not be alerted and may think, mistakenly, that they only need to follow general guidelines when in fact they need special treatment.



I support GINA not allowing discrimination, but disallowing the use of this information for educational purposes is counter-productive and potentially harmful.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Michael W. Wood". The signature is fluid and cursive.

Michael W. Wood, M.S., M.P.H.
Senior Consultant,
Health & Productivity Management
Watson Wyatt Worldwide

cc: The Honorable Timothy Geithner, Secretary, U.S. Department of Treasury
The Honorable Kathleen Sebelius, Secretary, U.S. Department of Health and Human Services
The Honorable Hilda Solis, Secretary, U.S. Department of Labor
Stuart J. Ishimaru, Acting Chairman, U.S. Equal Employment Opportunity Commission
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