

Genetic Non-Discrimination Act challenge from Quebec may open doors to genetic discrimination

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If Canada's Genetic Non-Discrimination Act (GNA) is overturned by a challenge from the Province of Quebec, it will open the doors to genetic discrimination, argue authors in a commentary in *CMAJ* (*Canadian Medical Association Journal*).

"The GNA is a critical law affording comprehensive protection prohibiting genetic discrimination by any individual or sector," writes Dr. Yvonne Bombard, scientist at the Li Ka Shing Knowledge Institute of St. Michael's Hospital, with Bev Heim-Myers, chair of the Canadian Coalition for Genetic Fairness and CEO of the Huntington Society of Canada.

The act protects genetic test [information](#) from being required in a contract negotiation or by any person or service provider such as an insurer, employer, school or adoption agency. It became law in Canada in May 2017.

Although advances in genomics are helping prevent, treat and diagnose diseases, people may decline useful genomic testing as they are afraid that personal genomic information could be used to deny them insurance coverage by third parties or compromise employment opportunities. This fear can also prevent patients from participating in medical research.

"Such fear creates barriers to accessing important information that can

end costly, burdensome diagnostic odysseys, guide medical management and improve a patient's quality of life," write Bombard and Heim-Myers.

The GNA makes it a criminal offence to require a person to take, or reveal results of, a genetic test. However, health care professionals are exempt if they are treating that person.

Quebec has challenged the law, arguing it is not constitutional.

"For now, the genetic test information of all people living in Canada, no matter where they live, is protected by law," state the authors. "And it is important that the GNA remains intact."

"The Genetic Non-Discrimination Act: critical for promoting health and science in Canada" is published May 14, 2018.

More information: *Canadian Medical Association Journal* (2018).
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