

Genetic Discrimination: Inherited vs. Acquired Disease

Vignette:

John Jones has been working in a nuclear power plant for 15 years and has applied for a medical discharge because of the emergence of tumors in different parts of his body, all of which are attributed to a genetic condition called Von Hippel Lindau syndrome. In spite of these cancers, John has been an exemplary employee, having earned numerous awards throughout his career.

John learns that some workers who developed cancer were eligible for a substantial compensation from the employer. The company regulations governing qualification for the compensation package exempt diseases that are "hereditary and/or genetic" on the assumption that these diseases were incurred prior to employment with the company.

Without this additional compensation, John's medical benefits do not cover a majority of his medical expenses and he is very concerned about how he will support his family.

John is denied the compensation package. However, John appealed his employer's decision and won a medical discharge when he was able to present evidence that environmental, as well as genetic, factors may have played a role in the development of his tumors.

Discussion points:

- Is it fair for employer's to differentiate between employees who have a condition with a known genetic basis and those with a medical condition not identified as genetic?
- Should employers hire individuals with a known medical condition? Should they be required to cover their medical benefits?
- Is it fair for employers to use genetic information under any circumstances?
- As more and more diseases are discovered to have a genetic component, will this mean that more and more employees will be denied medical benefits?
- Would your answers be different if John knew he was at risk for developing these cancers and sought employment in a potentially hazardous work environment?