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## GENETIC TESTING: REQUIRE CONSENT

**House Bill 5960**

**Sponsor: Rep. Paul Wojno**

**House Bill 5963**

**Sponsor: Rep. Kwame Kilpatrick**

**Committee: Health Policy**

**Complete to 9-21-98**

### A SUMMARY OF HOUSE BILLS 5960 AND 5963 AS INTRODUCED 6-23-98

The bills would require written consent for disclosure of genetic information and genetic testing. Specifically, the bills would do the following:

House Bill 5960 would amend the Public Health Code (MCL 333.16268 and 333.20195) to prohibit a person licensed or registered under the code, or a health facility or agency, from disclosing genetic testing information or other information regarding the genetic composition of a patient or other individual without first obtaining the express, written consent of the patient or individual to the disclosure.

House Bill 5963 would amend the Public Health Code (MCL 333.16269 and 333.20196) to require that a health professional licensed or registered under the code obtain an individual's written, informed consent before ordering or performing a genetic test on the individual. A violation could result in license sanctions and administrative sanctions as specified in the code. The bill would extend the same requirement to a health facility or agency and a health professional employed by or under contract to a health facility. A health facility or agency that violated the bill would be subject to license sanctions and a health professional employed or under contract to a facility would be subject to up to 90 days in jail, a fine of up to \$100, or both, for a first offense and at least 90 days in jail or a fine of between \$200 and \$500, or both, for a subsequent offense.

Analyst: S. Stutzky

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