

# SENATE BILL REPORT

## SB 6341

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As of January 20, 2000

**Title:** An act relating to informed consent for genetic testing of a person's deoxyribonucleic acid.

**Brief Description:** Requiring informed consent before obtaining a person's deoxyribonucleic acid.

**Sponsors:** Senators Franklin and Stevens.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/25/2000.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Joan K. Mell (786-7447)

**Background:** DNA means deoxyribonucleic acid, a component of human body cells. Analysis of DNA produces a sequence of chemical base pairs (**A** = adenylic acid, **T** = thymidylic acid, **C** = cytidylic acid, and **G** = guanylic acid), which is unique to the individual.

Researchers, scientists, criminal experts, and businesses value interpretation of the unique sequences. The federal government is competing with private researchers to map the entire human genome. The federally supported effort is called the Human Genome Project; a segment of that project operates out of the University of Washington.

In the 1999 session, the Legislature enacted House Concurrent Resolution 4412, which resulted in an interim committee on DNA Identification. The resolution directed House and Senate members to study the policy implications relative to scientific advances that are making DNA useful. The resolution required consideration of privacy concerns given the wealth of individual information available from DNA.

Current law does not have a requirement that informed consent be obtained when a person's individually identifiable DNA is obtained for purposes of genetic testing. Health care providers are required to obtain informed consent for treatment. Genetic testing is performed for purposes other than medical treatment.

**Summary of Bill:** Informed consent is required when an individual's identifiable DNA is obtained for genetic testing purposes.

A person must be informed of a number of different items listed.

Exceptions exist to the informed consent requirement for criminal matters, emergency medical care, and pursuant to a specific authorizing statute. Deceased persons cannot

consent; therefore, a court of law or institutional review board weighs the privacy concerns and determines whether testing could occur.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.