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Parents Win In Lawsuit Against Michigan Over Stolen Blood From Newborn Babies; No Consent Means It's Unconstitutional

ST. PAUL, Minn. — In a landmark case, a Michigan law firm, [Outside Legal Counsel](#), has successfully sued the Michigan Department of Health and Human Services.

In a major win for the rights of parents and against the government's long-term storage of a child's DNA, the court ruled that the state's unconsented storage and research are unconstitutional. **Twila Brase**, President and co-founder of [Citizens' Council for Health Freedom](#), whose discovery of the secret and use of "Baby DNA" led to successful lawsuits in Minnesota and Texas, said this is the, **"...first and biggest Federal win against unconsented storage of newborn DNA in the country."**

Since the 1980s, the Michigan Department has collected blood samples from every single baby that was born in the state. Without parental knowledge or consent, hospitals in Michigan have been required to prick the heel of newborn babies to extract six blood samples, officially known as "dried blood spots."

Following the heel prick, the "spots" are sent to state laboratories for testing. After testing, the blood samples, rather than being destroyed, are kept in one of two state-controlled warehouses located in Lansing and Detroit, for various purposes including genetic research. In 2020, the state of Michigan reported over 4 million stored blood spots in the state biobank.

In 2018, Outside Legal Counsel, on behalf of 9 children, sued the State of Michigan and asked a federal judge to "order the halt of this secret blood collection program." Saginaw County Attorney Philip Ellison believed that the practice is unconstitutional and stated, ["Essentially, the state has stolen consent from parents."](#)

About Citizens' Council for Health Freedom:

CCHF maintains a patient-centered, privacy-focused, free-market perspective. CCHF has worked in its home state of Minnesota and at the national level for more than 20 years to protect health care choices, individualized patient care, and medical and genetic privacy rights. CCHF airs the "Health Freedom Minute" on more than 850 radio stations each weekday. In 2016, CCHF launched The Wedge of Health Freedom, an online directory of direct-pay practices (JointheWedge.com). In 2018, CCHF published "Big Brother in the Exam Room: The Dangerous Truth About Electronic Health Records."