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Minnesota House Rejects Parental Consent and Genetic Privacy Rights for Newborn Babies

Citizens’ Council for Health Freedom Says House Vote Violates Constitutionally Protected Rights

ST. PAUL, Minn.—Citizens’ Council for Health Freedom (CCHF, www.cchfreedom.org) released the following statement after the Minnesota State House voted 69-58 yesterday to repeal genetic privacy for newborns and allow the state to collect and store newborn DNA without parental consent.

“Yesterday, the Minnesota State House of Representatives voted to authorize the state government to store and use the genetic blueprint of every baby born in the state,” said Twila Brase, president and co-founder of CCHF. “Ignoring all principles of property rights of newborns and of parental consent, the House voted to strip parents of initial right of consent and to grant the state default ownership of newborn DNA. The fact that our elected legislators would ignore not only our constitutional protection against search and seizure but also the 2011 State Supreme Court ruling that protected parental rights is not simply disturbing; it’s downright dangerous to the liberties of every Minnesotan.”

Under the bill, Minnesota will be permitted to retain blood samples from newborn babies. Parents can still “opt out” and ask that their baby’s test results and DNA not be stored, but they must first figure out it happened, learn they can opt out, and then figure out how to do it. Because House lawmakers added an amendment to the bill that bans the sale of samples and related test results and data, the bill will now return to the Senate for concurrence. Should the Senate agree to the amendment, which is likely and could happen as easily as with a voice vote, the bill will go to the desk of Governor Mark Dayton.

CCHF is asking Minnesotans to contact Governor Dayton’s office and urge him to protect the privacy rights of Minnesotans by not signing the legislation.

Opponents to repealing parental consent in matters of genetic testing include the American Civil Liberties Union (ACLU) of Minnesota, which testified during hearings, stating that the bill is a “dangerous effort to enable unlimited retention and minimize parental consent, allowing newborn
blood samples to be used at the whim of the government and researchers, rather than through the consent of the newborn and their family.” The ACLU also added that the bill is “problematic for numerous reasons. It represents a radical departure from traditional practice. It implicates important privacy and self-determination interests. The information is not anonymous. Finally, obtaining informed consent for the retention and later use after newborn screening for all purposes is not only possible but practical.”

Soon after the vote last night, CCHF (@twilabrase) posted this message on Twitter: “MN House votes 69-58 to repeal parent consent and end genetic privacy at birth. Some Democrats vote no. GOP Rep Nick Zerwas votes yes.”

“This is about who owns a baby’s DNA,” Brase told the Associated Press, “who has first dibs on it; who has primary control over it. Our genetic privacy hangs in the balance.”

The vote follows the Senate’s same action last week on S.F. 2047, the Newborn Screening Program Modification. In that 41-22 vote, one Democrat voted against the measure and six Republicans voted in favor of it.

Citizens’ Council for Health Freedom (CCHF, www.cchfreedom.org) is a Minnesota-based national organization dedicated to preserving patient-centered health care and protecting patient and privacy rights.

Celebrating its 20th year, Citizens’ Council for Health Freedom is a patient-centered national health freedom organization based in St. Paul, Minn. CCHF supports patient and doctor freedom, medical innovation and the right of citizens to a confidential patient-doctor relationship. CCHF also sponsors the daily, 60-second radio feature, Health Freedom Minute, which airs on more than 150 stations nationwide on the American Family Radio Network and 90-plus stations on the Bott Radio Network. Listeners can learn more about the agenda behind proposed health care initiatives and steps they can take to protect their health care choices, rights and privacy.

CCHF president and co-founder Twila Brase, R.N., has been called one of the “100 Most Powerful People in Health Care” and one of “Minnesota’s 100 Most Influential Health Care Leaders.” Brase, a public health nurse, has been interviewed by CNN, Fox News, Minnesota Public Radio, NBC Nightly News, NBC’s Today Show, NPR, New York Public Radio, the Associated Press, Modern Healthcare, TIME, The Wall Street Journal, The Washington Post and The Washington Times, among others. She is at the forefront of informing the public of crucial health issues, such as intrusive wellness and prevention initiatives in Obamacare, patient privacy, informed consent, the dangers of “evidence-based medicine” and the implications of state and federal health care reform.

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For more information or to interview Twila Brase, president and co-founder of Citizens’ Council for Health Freedom, contact Deborah Hamilton, Hamilton Strategies, 215.815.7716, 610.584.1096, DHamilton@HamiltonStrategies.com.