

13.386 TREATMENT OF GENETIC INFORMATION HELD BY GOVERNMENT ENTITIES AND OTHER PERSONS.

Subdivision 1. **Definition.** (a) "Genetic information" means information about an identifiable individual derived from the presence, absence, alteration, or mutation of a gene, or the presence or absence of a specific DNA or RNA marker, which has been obtained from an analysis of:

- (1) the individual's biological information or specimen; or
- (2) the biological information or specimen of a person to whom the individual is related.

(b) "Genetic information" also means medical or biological information collected from an individual about a particular genetic condition that is or might be used to provide medical care to that individual or the individual's family members.

Subd. 2. **Private data.** Genetic information held by a government entity is private data on individuals as defined by section 13.02, subdivision 12.

Subd. 3. **Collection, storage, use, and dissemination of genetic information.** Unless otherwise expressly provided by law, genetic information about an individual:

- (1) may be collected by a government entity, as defined in section 13.02, subdivision 7a, or any other person only with the written informed consent of the individual;
- (2) may be used only for purposes to which the individual has given written informed consent;
- (3) may be stored only for a period of time to which the individual has given written informed consent; and
- (4) may be disseminated only:
 - (i) with the individual's written informed consent; or
 - (ii) if necessary in order to accomplish purposes described by clause (2). A consent to disseminate genetic information under item (i) must be signed and dated. Unless otherwise provided by law, such a consent is valid for one year or for a lesser period specified in the consent.

History: 2006 c 253 s 4