

## State laws pertaining to surreptitious DNA testing

### Missouri

*Does the law restrict the collection or analysis of DNA or disclosure of results of analysis?*

Yes, disclosure of health-related test results prohibited without written authorization.

*Code section(s) analyzed*

MO Stat. §§ 375.1300 to 375.1309

*How genetic testing is defined*

"Genetic test" is "a laboratory test of human deoxyribonucleic acid (DNA) or ribonucleic acid (RNA) used to identify the presence or absence of inherited alterations in the DNA or RNA which cause predisposition to disease or illness."

*Is DNA defined as property or as confidential?*

No.

*To whom does the law apply and what does it prohibit/restrict?*

Any person who, in the ordinary course of business, practice of a profession or rendering of a service, creates, stores, receives or furnishes genetic information, shall hold such information as confidential medical records and shall not disclose such genetic information except pursuant to written authorization of the person to whom such information pertains or to that person's authorized representative.

*Exceptions*

De-identified research use; "pursuant to legal or regulatory process" (MO Stat. §§ 375.1309); body identification.

*Penalties*

Level two violation under 374.049, RSMo, \$1000 for each violation.

*Would state law prohibit surreptitious genetic testing, in particular for purposes of paternity, ancestry, and identity?*

The law would prohibit disclosure of health-related genetic information without authorization. Law does not address non-health-related testing.