

JAN 15 2025

A BILL FOR AN ACT

RELATING TO GENETIC INFORMATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that residents who
2 utilize commercially available genetic testing to establish
3 ancestry, health risks, or for other purposes should be
4 confident that their genetic information is safe. While the
5 Health Insurance Portability and Accountability Act protects
6 genetic information if a genetic test is ordered or information
7 is maintained by a covered health care provider, health plan, or
8 health care clearinghouse, the Act does not protect the results
9 of direct-to-consumer genetic testing.

10 Accordingly, the purpose of this Act is to require the
11 department of commerce and consumer affairs to adopt rules
12 establishing privacy requirements for direct-to-consumer genetic
13 testing in the State.

14 SECTION 2. (a) No later than , the department of
15 commerce and consumer affairs shall adopt rules pursuant to
16 chapter 91, Hawaii Revised Statutes, establishing privacy



1 requirements for direct-to-consumer genetic testing that is
2 administered or processed in the State.

3 (b) The department's rules shall specify whether
4 consumers' genetic data may be used for purposes of
5 investigative genetic genealogy.

6 (c) Rules adopted pursuant to this Act shall not apply to
7 genetic testing or genetic information that is covered by the
8 Health Insurance Portability and Accountability Act.

9 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and appears to be the name of the bill's sponsor.

S.B. NO. 318

Report Title:

DCCA; Genetic Information; Genetic Testing; Privacy; Rules

Description:

Requires the Department of Commerce and Consumer Affairs to adopt rules establishing privacy requirements for direct-to-consumer genetic testing in the State. Requires the Department's rules to specify whether consumers' genetic information may be used for purposes of investigative genetic genealogy.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

