

SENATE BILL 1841

By Akbari

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 29; Title 39; Title 47, Chapter 18; Title 53;
Title 63 and Title 68, relative to consumer data.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following language as a new section:

(a) A direct-to-consumer genetic testing company is prohibited from sharing with a third party any personally identifiable genetic test data or other personally identifiable information about a consumer who is a resident of this state without:

(1) The express written consent of the consumer specifically designating the third party who may receive the information; or

(2) A subpoena or a court order.

(b) As used in this section:

(1) "Direct-to-consumer genetic testing company" means a business entity that sells a genetic test directly to a consumer without requiring the involvement of a healthcare provider;

(2) "Genetic test data" means information derived from an analysis of human deoxyribonucleic acid (DNA), ribonucleic acid (RNA), chromosomes, proteins, or metabolites; and

(3) "Healthcare provider" means a person who is licensed, certified, or otherwise authorized or permitted by the laws of any state to administer health care in the ordinary course of business or practice of a profession.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.