

HOUSE BILL 3174

By Maggart

AN ACT to amend Tennessee Code Annotated, Title 63  
and Title 68, Chapter 5, relative to certain newborn  
testing.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 5, Part 5, is amended by  
adding the following language as a new, appropriately designated section:

68-5-5\_\_.

(a) If a test is performed on a newborn under this part or part 4 of this chapter, or  
any other law, no blood or biological samples taken from the newborn to perform such  
test shall be stored for further metabolic, genetic, hormonal or any other type of testing  
of samples unless a written, informed consent for such storage and further testing is  
obtained and signed by the parent or legal guardian of the newborn. If such written,  
informed consent is not obtained, after the test is completed for which the sample was  
taken any portion of the remaining sample shall be destroyed. In addition, the blood or  
biological samples shall not be disseminated nor transferred to any other entity for such  
purposes, notwithstanding the provisions of this part or any other law.

(b)

(1) It is an offense for any health care professional or health care entity to  
violate the provisions of subsection (a).

(2) A violation of subdivision (b)(1) is a Class A misdemeanor punishable  
by a fine only.

(c) Any health care professional or health care entity that violates subsection (a)  
shall also be subject to disciplinary actions by the regulatory board having the statutory

authority to issue licenses or certifications to such professional or entity, which may include the revocation of the person's or entity's license or certification.

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