

STATE OF CONNECTICUT
OFFICE OF THE CHIEF MEDICAL EXAMINER
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March 4, 2009

To: Senator Jonathan Harris, Representative Ritter and distinguished members of the Public Health Committee

From: H. Wayne Carver II, MD, Chief Medical Examiner

Re: House bill 6598: An Act Concerning the Release of Biologic Material for Genetic Testing

Good morning and thank you for allowing me the opportunity to provide my input on this bill. At present, the Office of the Chief Medical Examiner retains material suitable for genetic testing on all individuals examined at the OCME. Several times per month, a parent or guardian of a minor child requests a DNA sample in order to establish paternity and almost always so that the minor child is granted rights to the biological father's social security survivor benefits.

These benefits are provided to the child of a deceased father, who was not married to the child's mother, if biologic paternity can be proven through DNA. Benefits extend until the child reaches the age of eighteen and are therefore of considerable value.

We release this material with permission of the deceased's known next of kin. On three occasions, the next of kin have been unavailable or unwilling to grant permission. In two of these, a court ordered the release. In one case, the court opined that it did not have the authority to so order.

This proposal codifies granting the court the authority to order the OCME to release biologic material for the purposes of determining paternity or for determining a diagnosis of a life threatening illness or genetic disorder in a living individual. The latter is not a problem right now, but the number of diseases subject to such analysis is rapidly rising and this is included in this bill anticipating that we will inevitably face this problem in the near future.

I strongly support this bill becoming a law and anticipate that it will have no financial impact on our agency. I do anticipate that providing clear cut guidelines will avoid confusion.