

## **MEDIA RELEASE**

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*For Immediate Release*

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### **CCHC Tells Minnesota Department of Health to Destroy Illegally Retained Baby DNA**

Citing Chief Administrative Law Judge's July 3<sup>rd</sup> Reconsideration Order, CCHC sets August 9, 2007 deadline in a letter faxed today to Health Commissioner Dianne Mandernach.

*St. Paul/Minneapolis* – The Minnesota Department of Health has been holding on to the blood and DNA of newborn babies without legal authority, says Citizens' Council on Health Care in a letter faxed today to Health Commissioner Dianne Mandernach.

“Two judges have now ruled that the health department is operating outside the law. The blood and DNA of at least 670,000 babies is being stored indefinitely and claimed as State property. The department is giving away baby DNA for genetic research. All of this is a violation of Minnesota law,” says Twila Brase, president of CCHC and signer of the letter.

Ms. Brase tells Commissioner Mandernach in the letter, “It is now time for you and your department to begin obeying Minnesota's newborn screening and genetic privacy laws.”

**CCHC's letter calls on Commissioner Mandernach to take the following immediate actions to bring the health department into compliance with state law:**

- 1) Destroy all newborn blood specimens held and retained by MDH without the written informed consent of parents.

- 2) Demand immediate recall of all newborn blood specimens that were disseminated to the Mayo Clinic, the University of Minnesota, and other researchers without the written informed consent of parents.
- 3) Destroy all recalled newborn blood specimens immediately upon receipt from Mayo, the University of Minnesota, and other researchers.
- 4) By August 9, 2007, issue a press release affirming to the public that all retained and disseminated newborn blood specimens have been destroyed, and are no longer property of the State of Minnesota.

CCHC's letter also states that CCHC expects a letter from Commissioner Mandernach by next week, Thursday, July 19, 2007 confirming her intent to carry out numbers 1 – 4 above and her schedule to destroy all newborn blood samples.

“There should be no delay. The Commissioner has already appealed the judge's decision and lost,” says Ms. Brase.

“The rights of children and parents have been violated long enough. We expect immediate compliance by the Commissioner,” she adds.

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## **Court Documents**

Chief ALJ Krause's Reconsideration Order, July 3, 2007:  
<http://www.oah.state.mn.us/aljBase/090017586.recon.htm>

MDH Request for Reconsideration, June 27, 2007:  
<http://www.oah.state.mn.us/cases/health4615/090017586-recon-request.pdf>

The ALJ Report (ALJ Barbara Neilsen), March 27, 2007:  
<http://www.oah.state.mn.us/aljBase/090017586.rr.htm>

CCHC Testimony/Submitted Comments to ALJ, January 23/31, 2007:  
<http://www.oah.state.mn.us/cases/health4615/nbs-pc8.pdf>

CCHC Attachments to Testimony, January 31, 2007:  
<http://www.oah.state.mn.us/cases/health4615/nbs-pc9.pdf>

Office of Administrative Hearing – Newborn Screening Rule page. Includes all letters from the public: <http://www.oah.state.mn.us/cases/health4615/index.html>

*Citizens' Council on Health Care supports freedom for patients and doctors, medical innovation, and the right to a confidential patient-doctor relationship.*