

AMA Code of Medical Ethics

4.1.4 Forensic Genetics

With the exception of genetic information (or material) collected under the jurisdiction of a coroner, medical examiner, or other medical legal officer, the release of genetic information from a physician's records without the patient's informed consent constitutes a breach of confidentiality. However, under limited circumstances with overriding legal and social considerations, all physicians may disclose such information to the criminal justice system.

Physicians from whom genetic information is sought for purposes of criminal justice:

- (a) May ethically carry out DNA analysis on stored tissue samples or release genetic information without the consent of a living or deceased patient (or the patient's authorized surrogate) in response to a warrant or court order.
- (b) Should release only the minimum information necessary for the specific purpose.
- (c) Should not be required to provide genetic information when:
 - (i) a suspect whose location is known refuses to provide a tissue sample for genetic analysis; or
 - (ii) a tissue sample for the suspect can be obtained from other sources (such as the body of a deceased suspect).
- (d) Should decline to participate in the use of information from a genetic database created exclusively for criminal justice for any purpose other than identification.

AMA Principles of Medical Ethics: III,IV