To: **Commission**
From: **Vito J. Petitti**
Re: **Uniform Protection of Genetic Information in Employment Act**
Date: **October 6, 2014**

Memorandum

In May 2014, Staff presented the results of preliminary research and drafting related to a Uniform Law Commission (ULC) proposal involving employment-related collection, use, retention, and disclosure of genetic information. The Commission conferred its approval to conduct further research and outreach to determine whether the Uniform Protection of Genetic Information in Employment Act (UPGIEA), in part or in its entirety, should be recommended for adoption in New Jersey.

In July 2014, the Commission approved the release of a Tentative Report containing language calculated to address the disparities between the proposed uniform law and New Jersey's Genetic Privacy Act (GPA) by bringing New Jersey's law in line with the more protective provisions of the UPGIEA. Staff received approval from the Commission to conduct outreach to potential commenters and also to reorganize the existing statute, which is made up of ten sections under four different titles.[1]

Since that time, Staff conducted outreach to a number of relevant institutions, including Rutgers Education and Health Law Clinic, New Jersey Department of Health, New Jersey State Bar Association, Union County Central Labor Council, and to private legal and health practitioners. Because this outreach yielded no substantive feedback, Staff is now preparing to move forward with the second part of the project, which is to reorganize the GPA statute, with hopes that the proposed changes will generate comment.

Staff plans to present to the Commission a Revised Tentative Report in January 2015, which would be circulated once again to previously identified potential commenters, along with new ones.

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[1] New Jersey's Genetic Privacy Law is composed of the following sections of the New Jersey Statutes: N.J.S. 10:5-5, N.J.S. 10:5-12, N.J.S. 10:5-43 to 49, N.J.S. 17:48-6.18, N.J.S. 17:48A-6.11, N.J.S. 17:48E-15.2, N.J.S. 17B:26-3.2, N.J.S. 17B:27-36.2, N.J.S. 17B:30-12, N.J.S. 26:2J-15.1.