

# PRESS RELEASE



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## **TAKE CARE WITH NEW CONFIDENTIALITY GUIDANCE ON GENETIC RISK**

New GMC guidance on sharing confidential genetics information is not an open licence to disclose patient information without consent, warns the Medical and Dental Defence Union of Scotland (MDDUS).

This comes in response to recent headlines in the press suggesting that a doctor's prime duty in all circumstances is to disclose confidential genetic information about patients in order to protect their relatives, even if patients object.

Dr Gail Gilmartin, a senior medico-legal adviser at the UK-wide MDDUS says: "Much of the recent press coverage of the new GMC guidance in regard to genetic risk seems to suggest a simple, dogmatic approach.

"Doctors must engage in a careful process in these circumstances exploring all options and then balancing the harm to the patient of disclosure without consent against the benefit to others affected.

"It is important to stress that doctors should always consider patient consent for disclosure if practical. In most circumstances patients will agree that this is in the best interests of all involved."

The new GMC confidentiality document was issued last month and included specific guidance of 'Genetic and other shared information' stating:

"...a patient might refuse to consent to the disclosure of information that would benefit others, for example, where family relationships have broken down, or if their natural children have been adopted. In these circumstances, disclosure might still be justified in the public interest (see paragraphs 36 to 56). If a patient refuses consent to disclosure, you will need to balance your duty to make the care of your patient your first concern against your duty to help protect the other person from serious harm. If practicable, you should not disclose the patient's identity in contacting and advising others of the risks they face."

Dr Gilmartin adds: "MDDUS urges all doctors to read the new guidance carefully and seek clarification from their medical defence organisation in any circumstances of doubt."

Ends

For further information contact Colin Calder on 0141 616 2677 or 07850 510881.

**Note to editors**

MDDUS is a medical defence organisation providing access to professional indemnity and expert medicolegal advice for doctors, dentists and other healthcare professionals throughout the UK. For further information on MDDUS go to [www.mddus.com](http://www.mddus.com).