

Opening Statement of Senator Herb Kohl
Special Committee on Aging Hearing
“At Home DNA Tests: Marketing Scam or Medical Breakthrough?”
July 27, 2006

Thank you, Mr. Chairman. With the decoding of the human genome, genetic testing offers the potential to improve the health of individuals and their families. Today, we're concerned that due to marketing scams and lax governmental oversight, we are now seeing the potential for healthy profits, not necessarily healthy people.

As technology changes the way health care is administered in our country, the one constant, the one thing that can't be replaced is the role a trained, certified doctor in the diagnosis and treatment of an individual. They decide what tests are needed, administer the tests, analyze the results, and suggest a treatment or preventative regimen for their patient.

Today, there about 900 genetic tests available to health care providers, but some of these tests are marketed and sold directly to consumers over the Internet, without the involvement of a doctor or health professional. This “direct-to-consumer” genetic testing has ushered in the era of the “do-it-yourself” doctor, without the expensive nuisance of medical school.

On the one hand, DTC genetic testing has the potential to increase the availability and usage of preventive health care, to achieve substantial cost savings, and to empower consumers. On the other hand, DTC genetic testing poses significant risks, as incomplete or misinterpreted results could lead to a medical decision that could forever change your life. If a test is positive, you may undergo an unnecessary or risky treatment; if a test is negative, you may forego an essential screening or doctor visit because you think you're in the clear. Finally, we must also be concerned that genetic tests may exploit a patient's fear by exaggerating test results or misrepresenting the severity of a disease or condition.

For all of these reasons, independent oversight of genetic testing is critical. Today there appears to be little or no federal oversight of genetic tests or their marketing. This is not for lack of authority, lack of understanding of the problem, or lack of expert consensus on what needs to be done. I hope that as a result of this hearing today, there will no longer be a lack of will.