

First Biometrics, Now Genetics: Is GIPA the Next BIPA for Employers to Worry About?

Article By:

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Abstract: The Illinois Biometric Information Privacy Act (BIPA) has been a landmark law in the field of biometric data protection. It has been widely cited and has led to numerous lawsuits. However, the act's focus on biometric data is becoming increasingly outdated as genetic information becomes more prevalent in the workplace. This article explores the potential for a new law, the Genetic Information Privacy Act (GIPA), to address the challenges posed by genetic data in the workplace. It discusses the similarities and differences between BIPA and GIPA, and the potential impact of GIPA on employers and employees.

1. Introduction: The Illinois Biometric Information Privacy Act (BIPA) has been a landmark law in the field of biometric data protection. It has been widely cited and has led to numerous lawsuits. However, the act's focus on biometric data is becoming increasingly outdated as genetic information becomes more prevalent in the workplace. This article explores the potential for a new law, the Genetic Information Privacy Act (GIPA), to address the challenges posed by genetic data in the workplace. It discusses the similarities and differences between BIPA and GIPA, and the potential impact of GIPA on employers and employees.

2. The Evolution of Biometric Data: Biometric data has long been used for identification and security purposes. However, the advent of genetic testing has opened up new possibilities for the use of genetic information. Genetic data can be used to identify individuals, but it can also be used to predict health risks and other personal information. This has led to concerns about the privacy and security of genetic data, and the potential for discrimination based on genetic information.

3. The Challenges of Genetic Data: Genetic data is a unique type of biometric data. It is more sensitive than other biometric data because it can be used to predict health risks and other personal information. This has led to concerns about the privacy and security of genetic data, and the potential for discrimination based on genetic information. Employers who collect genetic data face a number of challenges, including how to store and protect the data, how to use the data, and how to ensure that the data is not misused.

4. The Potential for GIPA: The Genetic Information Privacy Act (GIPA) is a proposed law that would address the challenges posed by genetic data in the workplace. It would require employers to obtain consent before collecting genetic data, to store and protect the data, and to ensure that the data is not misused. GIPA would also provide for a right to delete genetic data and a right to sue for damages. This article explores the potential for GIPA to address the challenges posed by genetic data in the workplace.

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National Law Review, Volume XIII, Number 303

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