

Wisconsin Bill to Ban Coerced Chip Implants

The state's legislative branch passed a bill banning anyone from implanting RFID microchips into people without their consent.

By Beth Bacheldor

May 2, 2006—Wisconsin's legislative branch cleared a bill late last week that would ban anyone from implanting RFID microchips into people without their consent. [Assembly Bill 290](#), introduced on April 4, 2005, by State Rep. Marlin Schneider (D) will now move to the governor's office, where Gov. Jim Doyle is expected to sign it into law.

The legislation prohibits anyone, including employers or government agencies, from requiring people to have microchips implanted in them. Violators would face fines of up to \$10,000.

Rep. Schneider says he introduced the bill mainly to protect individual rights. "We ought not to allow employers to force this technology onto employees to track them every time they walk into a bathroom or leave a building," he says. "That is very intrusive, even more so than anything [George] Orwell ever dreamed of."

Schneider acknowledges that in certain instances, such as in some medical applications, it can be useful to embed an RFID microchip under a person's skin. In such cases, the microchip can be scanned wirelessly with an RFID interrogator to read the tag's unique ID number, then use that ID to access information about that person.

For example, [VeriChip](#) in Delray Beach, Fla., makes the VeriMed patient identification system, which is currently being tested on a small scale at several hospitals around the country (see [N.J. Hospital to Accept VeriChip IDs](#)). With VeriMed, hospital personnel can read a patient's unique ID number by waving an RFID reader over the general area of the implanted chip, then use that ID number to access a database securely containing identity and medical information.

The Wisconsin Assembly has asked Schneider and others to look into applications of the microchips "where it might be useful even without consent, such as using a chip in an Alzheimer's patient or in certain classes of criminals, such as sex predators, but you still have to protect the civil rights of these people," Schneider says.

If Gov. Doyle signs the bill into law, Wisconsin would be the first U.S. state to pass such a bill. At least one other state has eyed legislation that would ban the forced implantation of an RFID chip. In January, New Hampshire's House of Representatives passed a bill, [HB-203](#). Among other things, this bill would have prohibited the implantation of an RFID tag into any person without their consent or that of a legal guardian (see [N. H. Reps Approve Tracking Device Bill](#)).

In mid-April, however, New Hampshire State Senator Joseph D. Kenney (R) introduced an amended version of the bill. The sole purpose of the amended version was to establish a commission to study the use of radio

frequency technology in the private and public sectors, as well as its benefits and potential privacy implications. The Senate then passed the amended bill, which has now gone to the office of New Hampshire's governor to await his signature.

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