

Renumbered 9/1/2025

78B-15-505 Genetic testing results -- Rebuttal.

- (1) Under this chapter, a man is presumed to be identified as the father of a child if the genetic testing complies with this part and the results disclose that:
 - (a) the man has at least a 99% probability of paternity, using a prior probability of 0.50, as calculated by using the combined paternity index obtained in the testing; and
 - (b) a combined paternity index of at least 100 to 1.
- (2) A man identified under Subsection (1) as the father of the child may rebut the genetic testing results only by other genetic testing satisfying the requirements of this part which:
 - (a) excludes the man as a genetic father of the child; or
 - (b) identifies another man as the possible father of the child.
- (3) If an issue is raised as to whether the appropriate ethnic or racial group database was used by the testing laboratory, the testing laboratory will be asked to rerun the test using the correct ethnic or racial group database. If the testing laboratory does not have an adequate database, another testing laboratory may be engaged to perform the calculations.
- (4) If a presumption of paternity is not rebutted by a second test, the tribunal shall issue an order establishing paternity.