

1 **Disclosing Incidental Findings in Genetics Contexts: A Review of the Empirical Ethical**  
2 **Research**

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4 *Short running title:* Review on the disclosure of incidental findings

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14

15 **Abstract**

16

17 The disclosure of incidental findings, also called unsolicited findings, unexpected results, and  
18 secondary variants, is increasingly recognised as an issue in clinical and research genetics  
19 contexts. The rise of next generation sequencing methods has only intensified the issue,  
20 increasing the likelihood of incidental findings appearing. This review focuses on empirical  
21 research on the ethical issues involved. Electronic databases were searched for articles  
22 covering quantitative and qualitative research on the ethical issues involved in the disclosure  
23 of incidental findings in clinical and research genetics contexts. 16 articles were ultimately  
24 accepted for review. Data was extracted and synthesised on the factors that should be taken  
25 into account during the decision-making process surrounding the disclosure of an incidental  
26 finding in a genetics context. These factors include the possibility of disclosure, various  
27 practical and technical factors, and various ethical factors. We suggest the development of a  
28 decision-making tree, involving an exploration of the practical and ethical concerns raised by  
29 the studies. This is in our view the best way of handling the wide variety of both possible  
30 incidental findings and parties interested in the disclosure of incidental findings.

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34 **Keywords**

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36 disclosure; incidental findings; ethics; genetics

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## 40 Introduction

41           Incidental findings (IFs) have been defined in research contexts as findings having  
42 potential health or reproductive importance for an individual research participant, discovered  
43 in the course of conducting research but beyond the aims of the study. [1] The term itself is  
44 somewhat contested. [2] Some authors prefer alternative terms such as unsought for findings,  
45 unsolicited findings, and off-target results. [3-5] They have been reported most frequently in  
46 neuroimaging, oncology and genetics contexts. [1] However, despite a multitude of case  
47 reports, opinion pieces and general articles attesting to the widespread and frequent  
48 appearance of IFs in all sorts of research and clinical contexts, there is very little public  
49 guidance available at a government, professional or academic level, and what is available is  
50 inconsistent. [6-8] There have been several systematic reviews published in recent years on  
51 IFs arising in imaging contexts. [9-11] However, the focus of these systematic reviews is  
52 generally the frequency of IFs; how to handle IFs, and ethical explorations or justifications of  
53 particular ways of handling IFs, are touched upon in the discussion section of each article but  
54 are not the aim of any of the reviews.

55           It is unclear whether IFs can be said to exist in clinical contexts, because it can be  
56 argued that all results, whether beyond the aims of the study or not, are actually included in  
57 the aim of clinical care and are thus not “incidental”. [12, 13] Nonetheless, making a  
58 distinction between what is the target of a clinical test or procedure and what is more “off-  
59 target” can be useful when developing consent procedures that sufficiently inform patients  
60 and/or guardians about both types of results, [4] as well as useful when devising follow-up  
61 procedures and formulating professional obligations. Similarly, it is helpful in research  
62 contexts to make a distinction between research results and IFs, because there are key  
63 differences between the two, related to whether the finding falls inside or outside the domain

64 or expertise of the researcher, and whether the obligations for the researcher are clear or  
65 ambiguous. [13] The present review involved a search for literature on what are commonly  
66 accepted to be IFs: findings that fall outside the aim of the study, and/or are unanticipated,  
67 and/or are not the specific focus or target of the particular research or clinical query.

68 In a previous article, we performed a systematic literature review of the ethical reasons  
69 presented in the argument-based literature for and against the disclosure of IFs arising in  
70 clinical and research genetics contexts. [2] The present review also focuses on the disclosure  
71 of IFs arising in genetics settings, but this time based on the empirical research that has been  
72 done thus far. As next generation sequencing technologies move from research to clinical  
73 contexts and become increasingly widespread, the huge amounts of data of widely varying  
74 significance that they produce make IFs a growing issue. [14-16] We continue to use the term  
75 “incidental findings” because it is the keyword most commonly used to describe the  
76 phenomenon, although we do have reservations about this term. [17]

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78

## 79 **Methods**

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### 81 **Search methods**

82 Articles were sought that fulfilled four criteria: empirical research, in research or  
83 clinical genetics settings, ethically focused, and related to the disclosure of IFs. Various  
84 keywords were entered in several electronic databases for each of the four categories (Figure  
85 1). Articles published before 2001, the year in which the initial sequencing and analysis of the  
86 human genome was completed, were excluded, as the completion of the human genome  
87 project marked a crucial turning-point in the practice of genetics. [18] The Pubmed searches  
88 were saved and weekly electronic updates requested until June 2013.

89           Articles were excluded if IFs or similar concepts were mentioned only in passing, only  
90 research results were considered, there was no empirical research conducted, or there was no  
91 reflection on ethical issues. By the latter we understand explicit treatment of established  
92 ethical principles and concepts, [19, 20] or reflection on the values and attitudes motivating  
93 actions and opinions. [21] Articles on screening, biobanking and direct-to-consumer genetic  
94 testing were also excluded, as these raise additional public policy and social issues, and have  
95 been covered in several recent reviews. [22-24] Finally, the references of all the articles  
96 included up to this point for review were scanned, and citation searches were run on all the  
97 included articles in Web of Science.

98

### 99 **Data extraction and synthesis**

100 The resulting articles utilised a range of quantitative and qualitative methods, covering a  
101 range of clinical and research genetics contexts and targeting a number of different publics.  
102 Due to this considerable heterogeneity, it was inappropriate to pool the data in a meta-  
103 analysis. The data are instead presented in summary form (Table 1). A quality appraisal of the  
104 articles was conducted using the quality assessment tool (Qual Syst) developed by Kmet *et al.*  
105 (Supplementary Tables S1 and S2). [25] Given the relatively limited number of articles  
106 eligible for review, the cut-off point chosen for article inclusion was what Kmet *et al.*  
107 designate as the relatively liberal quality score of 55%. A thematic analysis of the articles  
108 revealed that the single issue running through all articles was the factors relevant during the  
109 decision-making process surrounding the disclosure of an IF. Data extraction was  
110 subsequently conducted to identify these factors.

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## 113 **Results**

114           The electronic database searches resulted in 126 possible articles for review (excluding  
115 duplicates; Figure 1). There were 16 articles ultimately accepted for review. [26-41]  
116 Snowballing resulted in no additional articles. A high proportion of articles were included that  
117 were published in the last two years, [26-29, 31-35, 39-41] confirming the relevancy of the  
118 topic.

119           A range of characteristics of the reviewed articles are listed in Table 1, for  
120 comparison. All received a quality score of more than 55% (Supplementary Tables S1 and  
121 S2), and thus were included for subsequent review. Our analysis disregards the fundamental  
122 methodological differences between quantitative and qualitative research, as well as the  
123 specific research question of each article, in favour of an extraction and synthesis of themes. It  
124 was not the intention of the current paper to determine what the most important or most cited  
125 themes are.

126           Thematic analysis led to the discovery of a single issue recurring in all articles: what  
127 factors should be taken into account in genetics contexts during the decision-making process  
128 surrounding the disclosure of an IF? We have taken this issue to structure the data extraction  
129 and synthesis of this review. The study-specific results, related to which precise factors such  
130 as gender or lifestyle influence disclosure preferences and decisions, have little or no value in  
131 guiding clinical or research practice, and are not dealt with here.

132

### 133 **The possibility of disclosure**

134           The first important factor to be taken into account during the decision-making process  
135 is whether disclosure is in fact a possibility. That is, are the medical professionals (be they  
136 clinicians or researchers) and the potential recipients of the IF open to the possibility of  
137 disclosure, or have they already indicated that disclosure is not an option? [26, 35, 38, 39] The

138 reviewed articles dealing with medical professionals indicate a general consensus that  
139 clinically significant IFs should be returned. [26, 28, 29, 33-35, 37, 40, 41] This in many ways  
140 matches the reported general desire of non-professionals to receive clinically significant IFs.  
141 [28, 30, 32, 36, 40] However, the potential presence of a sizeable minority wishing to exert  
142 their right not to know, alongside the varying impact of certain demographic and health  
143 factors on disclosure preferences, indicate the need for a thorough procedure to determine  
144 potential recipients' wishes. [36] Such pre-test discussions are useful to avoid "surprises",  
145 incorporate patients and parents in decision-making, and make it clear to patients if geneticists  
146 have intentionally limited the possibility of IFs. [28, 40] Consent forms should be specific  
147 enough to help when later making a disclosure decision, according to genetics researchers,  
148 [33] while also leaving room for the possibility of participant disclosure preferences changing  
149 over time, according to IRB chairs. [39]

150

### 151 **Practical and technical factors**

152 Another group of factors cited in the reviewed articles as relevant in the decision-  
153 making process are practical and technical factors. This group of factors can be further  
154 divided into three subgroups. A first subgroup involves questions around the clinical utility of  
155 the finding, including the seriousness, urgency, treatability (dependent also on cost, impact  
156 and availability), impact on the quality of life, probability and disease context of the finding.  
157 [26, 28-30, 32-38, 40, 41] A second subgroup involves scientific factors: whether the finding  
158 has been replicated and by an independent research group; the robustness and quality of the  
159 finding (e.g. whether the finding comes from a known coding region); how expected or  
160 "incidental" the finding is; and the extent and complexity of the information provided by the  
161 IF. [27-29, 33, 35, 37-40] A third subgroup involves communication factors: who should  
162 disclose and to whom; the capacity of the team to handle complex and uncertain data, explain



163 the IF sensitively and comprehensively, and provide medical advice; the capacity of the  
164 patient or research participant to understand the finding; complex family dynamics, including  
165 how to respect the growing maturity of children; and the possibility or necessity to consult  
166 colleagues and the institutional review board about the finding. [26-28, 31-33, 37, 40]

167

## 168 **Ethical factors**

169 A final group of relevant factors dealt with in the reviewed literature are ethical  
170 factors. By this we understand established ethical principles and concepts, [19, 20] as well as  
171 the values and attitudes motivating actions and opinions. [21] This group of ethical factors can  
172 be further categorised into subgroups. It should be noted that several of the subgroups  
173 overlap.

174 Several articles mention the ideals of maximising benefits and minimising harms. [26,  
175 27, 32, 37, 40] Beneficence and non-maleficence were cited by genetic researchers in one  
176 interview study as motivations for both the disclosure and non-disclosure of IFs. [37] The  
177 specific harms of disclosing IFs mentioned in the reviewed literature include possible risks to  
178 privacy and confidentiality, insurance and employment discrimination, and various  
179 psychological harms such as fear, anxiety and confusion. [26, 27, 31, 32, 40] There was also  
180 the concern on the part of researchers that research participants may not have the support or  
181 resources necessary to understand the risks of IFs and take appropriate follow-up steps. [37] It  
182 is noteworthy that while the lay people in one study responded to the possibility of harms  
183 stemming from IFs by starting to speak about their autonomy, health care professionals in the  
184 same study responded by continuing to speak in terms of beneficence and non-maleficence.  
185 [40]

186 Respect for autonomy and choice is an additional relevant ethical factor, though  
187 sometimes contentious. [26, 27, 35, 37, 39, 40] The lay groups in a focus group study on

188 clinical whole genome sequencing (WGS) spoke of the ideal of autonomous decision-making,  
189 and considered respect for autonomy and choice to be the basis for disclosure, not the clinical  
190 relevance of the IF as decided by a professional. [40] Some IRB chairs involved in an  
191 interview study argued that respect for the autonomy of research participants is a higher value  
192 than beneficence, distinguishing between research and clinical care. [39] In their view, the  
193 informed consent process presents the perfect opportunity to respect potential participants'  
194 autonomy. In contrast, some clinical genetics professionals surveyed set actionability and  
195 definite beneficence above patient choice. [35] Similarly, some genetic specialists in an  
196 interview study reported that they would find it very difficult if patients had opted out of  
197 disclosure and an IF was discovered with known clinical significance. [27] Some IRB chairs  
198 in a related interview study stated that they would give more weight to a medical opinion  
199 favouring disclosure or nondisclosure on grounds of the participant's beneficence than the  
200 participant's own preferences. [41] One IRB chair involved in another interview study  
201 conducted by the same group spoke not just of the recipient's right to know and respect for  
202 their autonomy but of their "need to know" in certain life-threatening or life-changing cases.  
203 [26] Some researchers in another interview study were also of the opinion that participants  
204 should have access to clinically relevant information and the choice to learn this information;  
205 the authors of the study note that the "right not to know" was not always acknowledged by  
206 interviewees. [37]

207         The principle of justice featured in focus group discussions with health care  
208 professionals and lay people on the equitable use of limited resources. [40] Moreover, the  
209 ideas of property and ownership in terms of IFs specifically or the genetic sequence as a  
210 whole fall under the concept of justice, as well as being related to respect for individual  
211 autonomy. [40] At the same time, it was acknowledged that the inherited nature of genetic  
212 information complicates questions of ownership.

213           The theme of duties and responsibilities is a further subdivision of ethical factors  
214 relevant in the decision-making process. [26, 31, 32, 37, 40, 41] Medical genetic specialists,  
215 genomic researchers, and IRB chairs involved in an interview study spoke of their obligation  
216 to respect the wishes of the participant or patient to receive an IF. [26] Primary care  
217 professionals in focus groups spoke of their duty to disclose IFs, especially when treatable  
218 conditions were involved, while geneticists in the same study were more hesitant when  
219 applying the specific term “duty” to themselves. [31] Lay people in a related study agreed that  
220 health care professionals have an obligation to disclose IFs. [32] Some researchers spoke of  
221 the responsibility that they feel towards those participating in their research projects. [37]  
222 Some set this against the context of research, and said they feel a certain sense of  
223 responsibility because of the trust that participants commit to the researchers and their  
224 expertise; others simply set it against the context of the normal give-and-take of human  
225 relationships. The need to balance the duties of researchers to individual participants and  
226 society was acknowledged. [37] Some genomic researchers involved in an interview study  
227 stressed the purpose of research, to generate knowledge, as a reason not to disclose IFs. [41]  
228 Mention was also made in one reviewed study of the responsibility that patients have,  
229 especially in terms of keeping up with new implications of their genetic data due to advances  
230 in genetic knowledge. [40] Health care professionals in this study related the idea of patient  
231 responsibility with the practical challenges facing professionals, while for the lay participants  
232 it was more an idea of mutual patient-clinician responsibility, linked to the idea of patient  
233 choice.

234           Finally, the presence of a minor has an impact on the decision-making process. [28,  
235 29, 34, 35, 40] Two surveys of clinical genetics specialists uncovered increased reluctance to  
236 disclose IFs when minors were involved compared to the situation involving adults. [29, 35]  
237 This reluctance was shared by professional stakeholders involved in an interview and focus

238 group study on paediatric genomic research and clinical practice, and was especially related to  
239 IFs involving reduced penetrance, variable expressivity, delayed onset, or the absence of any  
240 available treatment. [28] In contrast, public stakeholders involved in the same study were  
241 willing to accept any ambiguity surrounding IFs as simply part of the ambiguousness of life.  
242 Their desire to receive IF information was motivated by a wish to be prepared. It was their  
243 view that parents should decide if, when and how IFs are shared with their children, although  
244 medical professionals should act as a backup to ensure that children do receive certain types  
245 of IFs once they reach a certain age. [28] A survey of clinical genetics professionals revealed  
246 that the presence of a minor had a variable influence on the decision-making process,  
247 depending on the actionability and the time of onset of the IF. [34] Focus groups involving  
248 health care professionals and lay people related the presence of a minor to broader issues of  
249 inheritance and ownership of genetic information. [40]

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251

## 252 Discussion

253 Any attempts to pull together the results of the reviewed studies need to be done  
254 carefully, because of both the high degree of heterogeneity in terms of study aims and target  
255 populations and the relatively limited number of studies that have been published to date. An  
256 additional challenge encountered while conducting this review is that while a range of search  
257 terms in a number of electronic databases were trialled, complemented by the snowballing  
258 method, there is no guarantee that all relevant literature was identified simply because of the  
259 heterogeneity of terms and keywords used in empirical bioethics publications. [42] We  
260 nonetheless consider this review to be an important exercise in order to gain an overview of  
261 the empirical ethical research that has been conducted up until now on the disclosure of IFs.  
262 Given what some anticipate as a huge increase in expected IFs as whole exome and genome

263 sequencing methods make the transition from research to clinical contexts, [14, 43] an  
264 overview of the issue is urgently needed. In addition, the fact that 75% of the articles  
265 reviewed in the present paper have been published in the last two years emphasises that there  
266 is currently a large amount of empirical research being done on this topic.

267 As already stated, the general view of medical professionals that clinically significant  
268 IFs be returned, [26, 28, 29, 33-35, 37, 40, 41] in many ways matches the general desire of  
269 non-professionals to receive clinically significant IFs. [28, 30, 32, 36, 40] The study-specific  
270 results, related to which precise factors influence disclosure preferences and decisions, have  
271 little or no value in guiding clinical practice, and have been largely disregarded in the present  
272 review. However, this is not intended to be the take-home message of the studies. Their point  
273 is more that we should be aware of the gap that exists between agreeing in general to a policy  
274 of disclosure and the specifics of each IF. These specifics include the specific context of the  
275 IF itself (including its clinical validity and utility, whether it is serious or not, how far it lies  
276 from the original aim of the genetic test), the context of the medical professional making the  
277 discovery (including their particular medical field, their ethical culture, their professional  
278 support network), and the context of the subject in whom the IF is discovered (including  
279 whether a minor is involved). With respect to the specific context of the IF itself, the  
280 development of categories of IFs accompanied by recommendations for how to deal with each  
281 category is urgently needed. Such discussions have already begun. [43, 44] This is a first step  
282 in answering the call of several of the studies for clear guidance on the disclosure of IFs. [27,  
283 29, 31, 37, 40] However, with respect to the people involved in the IF – the patient or research  
284 participant whose IF it is and the person who has made the finding – it is not categories or  
285 checklists that will help but counselling and other forms of dialogue. This issue was raised in  
286 some of the reviewed articles, which advocate a thorough pre-test discussion between medical  
287 professional and subject, [31, 32, 35, 36, 39, 40] and the need for more educational resources.

288 [31, 37] The discrepancy between a given IF on the one hand and the subject's reasons for  
289 desiring disclosure and the context in which disclosure will occur on the other hand is starkly  
290 apparent in recent literature on why genetic testing for BRCA and Huntington's mutations is  
291 pursued. [45, 46] We suggest that a sort of "decision-making tree" may be a useful and user-  
292 friendly tool in coping with disclosure decisions in the clinic and research.

293         A decision-making tree would need to start by separating technical or practical  
294 concerns and ethical concerns, [47] as we have done in structuring the results of the reviewed  
295 literature. The initial question of whether disclosure is an option or not can be incorporated  
296 into the group of practical and technical concerns. Green *et al.* make a distinction in the  
297 discussion of their study results between clinical judgments regarding the clinical validity or  
298 utility of the IF and ethical judgments based on whether adults or minors are involved. [29] At  
299 the beginning of a new field it is prudent to begin by exploring the extent of pragmatic  
300 concerns and clinical judgments that are possible. However, it is time to move on in the  
301 context of IFs arising in clinical and research genetics. For instance, it has now been well  
302 established that new genetic sequencing techniques such as WGS raise ethical issues because  
303 of the huge complexity and ambiguity of the data generated, [14] and this was confirmed as a  
304 concern in several of the studies reviewed above. [28, 31, 33, 37, 39, 40] Now is the time to  
305 move on to reflections about why exactly this raises ethical issues; for example, how exactly  
306 does complex and ambiguous information challenge the abilities of medical professionals to  
307 maximise benefits and minimise harms (thus furthering beneficence and maleficence), or  
308 challenge the abilities of the subjects of genetic tests to act autonomously?

309         We envisage a decision-making tree with two major branches, one for technical or  
310 pragmatic concerns and the other for ethical concerns (Figure 2). The technical factors should  
311 be dealt with first when deciding to disclose an IF, because it can be argued that they form the  
312 basis of being able to address ethical factors such as maximising benefits and minimising

313 harms. In other words, it makes little sense to reflect on the ethical factors at play in the  
314 disclosure of a particular IF if the very clinical utility and validity of the finding are in doubt  
315 and the communication process will be problematic.

316 Figure 2 thus sets technical factors before ethical factors in the decision-making  
317 process. We have arranged the three types of technical factors that came out of the reviewed  
318 literature according to what to us appears a logical order: clinical utility, scientific factors, and  
319 communication factors. A ranking of ethical values was apparent in some of the studies when  
320 considering the relative value of respect for autonomy. [35, 39, 40] Thorough ethical  
321 reflection is needed to consider how to rank ethical concepts and even whether ranking is an  
322 ethically sound idea. Given that ethical concepts are necessarily lived out in particular cultural  
323 and professional contexts, as Green *et al.*, among others, illustrate, [29] it may prove difficult  
324 to devise a ranking of concepts that can be universally applied. The implementation of a  
325 decision-making tree may help avoid an *a priori* ranking of ethical concepts, by allowing  
326 different concepts to take on different weights depending on the specific context. What is  
327 certain is the importance of considering multiple factors in any single decision-making  
328 process. [26]

329 Figure 2 is not yet a “decision-making tree” as it does not include any decisions, as  
330 such. It is a schematic representation based on the results of the present review of the factors  
331 that would need to be considered when disclosing an IF in genetics contexts. The branches  
332 and twigs on the current schematic can be added to in more detail based on the more thorough  
333 results listed above. There is room to add to the tree on the basis of other reviews. [2, 48] Our  
334 intention is not that such a tree be used by individual researchers or clinicians, but that it be a  
335 tool for use in team discussions on the disclosure of IFs. The importance of team discussions  
336 was highlighted in several of the reviewed articles. [29, 33, 37]

337           An example will help to illustrate how such a decision-making schematic might be  
338 used. Imagine that a clinical geneticist incidentally discovers a mutant *BRCA1* gene during  
339 WGS involving a four year old girl. Following the first branch of the tree, the geneticist and  
340 their team should first consider the clinical utility of this IF and various scientific and  
341 communication factors. This is a serious IF, related to breast and ovarian cancer. A carrier of  
342 a *BRCA1* mutation has an average risk by age 70 years for breast cancer of 65% and for  
343 ovarian cancer of 39%.[49] The information is currently not very urgent for the four year old  
344 girl, but it will be of later personal importance. It could be very relevant information now for  
345 the girl's mother, aunts and grandmothers. In terms of treatability, there are early screening  
346 and prevention options, such as prophylactic mastectomy. The disease context is cancer, and  
347 it may also be relevant to consider the initial reason for carrying out WGS (the  
348 "intentionality" of the finding) and whether there is a family history of breast or ovarian  
349 cancer. Various scientific factors should be checked, such as the replication, robustness,  
350 quality, and extent of the finding, as should the communication factors listed in the results  
351 section above such as who should be the recipient of this IF.

352           Moving to the second branch of the decision-making schematic, the following  
353 reflections come to the surface. In terms of maximising benefits, early screening resulting  
354 from the disclosure of this IF can lead to early detection, and prophylactic surgery can remove  
355 the risk almost completely. This should be weighed against minimising the possible harms of  
356 unnecessary anxiety for the child, possible over-treatment, and stigmatisation. In the context  
357 of justice, it can be asked whether it is just to devote resources to the validation,  
358 communication, and follow-up of this particular IF instead of to other health issues. It is also  
359 unclear who exactly the "owner" of this IF is, the little girl herself or maybe all her female  
360 relations (giving them the chance to also get tested). When a child is involved, it is not always  
361 obvious whose autonomous choice should be respected: that of the child, now, or of the child



362 once she reaches majority, or of the parents, her legal guardians, who can then choose how  
363 they want to handle the IF. Duty and responsibility issues include balancing the provision of  
364 clinical care to the family against a just distribution of finite resources. They also involve  
365 asking questions like: who is the clinical geneticist responsible for in this case? The child, the  
366 child and her immediate family, or the broader family too? Reversing the question means  
367 considering how the parents can best fulfil their responsibilities as parents and family  
368 members in this case. Is it possible that they could learn of this IF through other means, thus  
369 respecting the right of their child not to know? Finally, the age and possibly the gender of the  
370 child is a factor; additional questions would be raised if she were 14 years old, or a 17 year  
371 old boy.

372         The problem of IFs has been identified as “one of the greatest impediments” to the  
373 immediate introduction of whole genome and exome sequencing in clinical medicine. [29]  
374 Given that medical professionals are generally in favour of disclosing clinically relevant IFs,  
375 and patients and research participants are generally in favour of receiving clinically relevant  
376 IFs, efforts should now be spent on ironing out the details, investigating when exceptions may  
377 arise and what to do when they do arise.

378

379

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384 their valuable comments and suggestions.

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387 **Conflict of interest.**

388 The authors declare no conflict of interest.

389

390 **Figure titles and legends**

391

392 **Figure 1: Results of the electronic database searches.** The search string used was:

393 (qualitative research OR cross-sectional studies OR questionnaires OR health surveys OR

394 cohort studies OR focus groups OR peer review) AND genetics AND ethics AND (incidental

395 findings OR truth disclosure OR disclosure)

396

397 **Figure 2: Decision-making schematic for use in the disclosure of an incidental finding in**

398 **genetics contexts.** This tree is based on the results of the present review, and is intended for

399 use in team discussions on the disclosure of incidental findings. The following factors should

400 be considered when coming to a decision about disclosing a particular incidental finding: 1)

401 Technical factors: a) clinical utility: seriousness; urgency; treatability; impact on quality of

402 life; probability; disease context; b) scientific factors: the replication, robustness and quality,

403 intentionality, and extent and complexity of the incidental finding; c) communication factors:

404 who should disclose and to whom, communication capacity of the team, comprehension

405 capacity of the recipients, family dynamics; possible/necessary consultation of

406 colleagues/IRB. 2) Ethical factors: a) maximise benefits; b) minimise harms; c) justice issues:

407 just distribution/utilisation, and property, ownership, and inheritance issues; d) respect for

408 autonomy; e) duties/responsibilities: towards individuals and society, and from the viewpoint

409 of the medical professional and the recipient; f) presence of minors.

410 **Tables**

411  
412 **Table 1:** Summary of a range of the characteristics of the 16 reviewed articles. The final column lists the factors mentioned by each article relevant in the  
413 decision-making process surrounding the disclosure of an incidental finding (IF).

Author/s (Year)	Country & setting	Study population	Aim	Research design	Sample size and response rate (RR)	Summary	Factors relevant to incidental findings decision-making
Brandt, Shinkunas, Hillis, Daack-Hirsch, Driessnack, Downing, Liu, Shah, Williams, Simon (2013)	USA; medical genetics	professionals (medical genetic specialists, genomic researchers, IRB chairs)	to examine how a range of professionals perceive the relative importance of recommended criteria when applied to genetic/genomic IFs	qualitative - telephone interviews	103 professionals obtained through stratified purposive sampling (RR n/a)	professionals' perspectives on nine selected criteria proposed in the literature regarding the importance of IF disclosure	the IF points to a life-threatening condition (and this may influence responses to other criteria); individuals indicate in writing they wanted to be informed of IFs; there is a treatment (dependent on cost, impact and availability); quality of life will most probably be affected. Discussion around disclosing an IF regarding a reproductive risk for the individual's offspring. Less important criteria: analytic validity, high penetrance, association with early onset and relative risk more than 2.0. Also: do a risk-benefit assessment; consider the nature of the IF; consider the unique recipient of the IF

<p>Downing, Williams, Daack-Hirsch, Driessnack, Simon (2013)</p>	<p>USA; clinical genetics</p>	<p>genetics specialists (medical geneticists, laboratory professionals, genetic counsellors, genetics nurses)</p>	<p>to examine the perspectives of clinical genetics specialists regarding the management of IFs</p>	<p>qualitative - telephone interviews</p>	<p>50 genetics specialists obtained through purposive sampling (RR n/a)</p>	<p>key issues highlighted include inconsistent definitions of IFs, when and how to inform patients, minimising psychological harm, and having flexible disclosure guidelines</p>	<p>how certain the significance of the IF is; possible psychological harm (anxiety, turmoil); patients' difficulty in understanding the IF</p>
<p>Driessnack, Daack-Hirsch, Downing, Hanish, Shah, Alasagheirin, Simon, Williams (2013)</p>	<p>USA; paediatric genomic research and clinical practice</p>	<p>broad cross-section of professional and public stakeholders in paediatric genomic research and clinical practice</p>	<p>to capture the unique issues and challenges surrounding the discovery and disclosure of incidental genomic findings when children are involved</p>	<p>qualitative - interviews and focus groups</p>	<p>103 professionals, 63 members of the public, obtained through purposeful, stratified sampling (RR n/a)</p>	<p>one overarching theme: "it's hard for us; it's hard for them"; distinctions separating professionals from lay groups clustered around three subquestions: what to disclose, who gets the information, and what happens later?</p>	<p>professionals: the complex nature of interpreting IFs eg the accuracy in predicting associated phenotypes; easier decision when the IF is clear and life-threatening or actionable, more difficult if untreatable or adult-onset; complex family dynamics and growing maturity of the child relevant in communication; consider carefully the possible impact on the child of disclosure, including for their later reproductive choices. Lay groups: ambiguity is a fact of life, so not repelled by the ambiguity of IFs; desire to receive information so as to be prepared; parents should decide if, when and how IFs are shared with their children</p>

Green, Berg, Berry, Biesecker, Dimmock, Evans, Grody, Hegde, Kalia, Korf, Krantz, McGuire, Miller, Murray, Nussbaum, Plon, Rehm, Jacob (2012)	USA; clinical genetics	clinical geneticists and/or molecular medicine specialists	to explore specific conditions and types of genetic variants that specialists in genetics recommend should be returned as IFs in clinical sequencing	quantitative - survey	16; RR not reported	considerable concordance on what to return (80% agreement for 65% of the conditions), discordance on what factors influence decision-making; a small panel of experts will not be able to agree on what to return	treatability or prevention possibilities; quality of the finding; presence of a minor
Haga, O'Daniel, Tindall, Lipkus, Agans (2011)	USA; clinical pharmacogenetic testing	public	to explore public attitudes regarding pharmacogenetic (PGx) testing and the role ancillary information might play in decisions to undergo such tests	quantitative - explorative, random-digit-dial telephone survey	n=1 139 (RR=42%)	the potential of ancillary information does not negatively impact public interest in PGx testing, possibly even the opposite; interest in learning ancillary information is well-aligned with the public's desire to be informed about potential benefits and risks prior to testing	interest of potential recipients in incidental findings; seriousness and treatability of the finding; disease context
Haga, Tindall, O'Daniel (2012a)	USA; clinical pharmacogenetic testing	health care professionals (primary care [PCPs] and geneticists)	to assess health care professionals' attitudes on pharmacogenetic (PGx) testing, ancillary disease risk information and related clinical issues	qualitative - focus groups with questions and a hypothetical vignette	21 health care professionals, 3 focus groups	positive interest in PGx testing, though less for PCPs because of various concerns; many PCPs feel an obligation to disclose, geneticists not because of the complexity of results. Authors recommend more educational resources, access to genetic specialists, and clear clinical guidelines about the use of PGx testing	potential psychological risks (fear); duty to disclose; communication challenges

Haga, Tindall, O'Daniel (2012b)	USA; clinical pharmacogenetic testing	general public from Durham, NC	to gain a better understanding of the views of the general public on pharmacogenetic (PGx) testing, ancillary disease risk information and related clinical issues	qualitative - focus groups with questions and a hypothetical vignette	45 individuals, 4 focus groups	enthusiastic about PGx testing; most participants agreed that doctors are obliged to disclose ancillary risk information, though some were then hesitant about actually learning it; concerns of privacy, confidentiality, and psychological harms from ancillary information; implications for physicians	duty to disclose; actionability of the finding; possible harms (anxiety, psychological harm, insurance discrimination); question of who discloses
Hayeems, Miller, Li, Bytautas (2011)	Canada/international; genetic research	cystic fibrosis and autism genetic researchers	to better understand a range of factors that might influence how researchers establish clinical significance and reportability	quantitative - quasi-experimental; international cross-sectional survey	2187 possible authors, 877 eligible participants, 785 eligible surveys, RR 44%	80% agree in principle that clinically significant findings be disclosed, but specific judgements varied based on scientific factors, capacity of the team to explain the results, and type of research ethics guidance; the type of researcher, their primary role and their beliefs about a general reporting obligation also had an impact; results call into question the assumption that everyone will return the same results	replication, robustness, and intentionality of the finding; extent of the information; specificity of the informed consent; clinical utility; disease context; consultation of colleagues and IRB

Lemke, Bick, Dimmock, Simpson, Veith (2012)	USA; clinical genetics	clinical genetics professionals	to investigate the views of clinical genetics professionals on WGS and IFs when it involves themselves, their children, and adults and children in a clinical care setting	quantitative - survey	279 clinical genetics professionals; approximately 90% uptake rate	participants' views were strongly dependent on clinical actionability and the presence of a minor: the vast majority agreed that they were interested in knowing about clinically actionable IFs in themselves (96%) and their child (99%), and that these types of IFs should be disclosed in adult (96%) and minor (98%) patients; percentages dropped to around 70% for an adult-onset clinically actionable disease and a childhood-onset, non-clinically actionable disease, and dropped even further for an adult-onset non-clinically actionable condition	clinical actionability of the IF; presence of a minor
Lohn, Adam, Birch, Townsend, Friedman (2013)	Canada; clinical whole genome sequencing (WGS)	geneticists and genetic counsellors	to investigate the views of geneticists and genetic counsellors in Canada on the disclosure of IFs arising from clinical sequencing investigations	quantitative - online questionnaire	210 clinical genetics professionals; RR 42%	geneticists and genetic counsellors largely in agreement that actionable IFs should be readily disclosed to patients while other IFs should not be readily disclosed; pre-test informed consent process emphasised	nature of the finding (ranging from a serious and treatable condition to an IF with social implications eg non-paternity); presence of a minor; test accuracy; evidence indicating pathogenicity; what was agreed upon if there was a pre-test counselling session



Matsui, Lie, Kita, Ueshima (2008)	Japan; genetic research	research participants	to investigate the actual preferences of donors [of genetic samples] with regard to receiving individual results; to explore the factors related to their decision	quantitative - prospective population-based genetic epidemiologic study; two item questionnaire	1845 (99.4%) for question 1, 1767 (95.2%) for question 2, 1758 (94.7%) answered both questions	most participants want to be recontacted and want reports of IFs; some sociodemographic associations	interest of potential recipients in incidental findings; disease context
Meacham, Starks, Burke, Edwards (2010)	USA; genetic research	researchers	to better understand researchers' problem-solving strategies, reasoning processes, and motivations for dealing with the challenge of IFs	qualitative - semi-structured telephone interviews, with 5 hypothetical vignettes	60 researchers from Washington State and Oregon, of a possible 125 (RR=48%); 44 responded to the return of unexpected results vignette	primary question is how to disclose, related to 3 potentially conflicting duties: information quality, participant welfare, adherence to rules. Also important: involving others and practical considerations	clinical utility; quality and replication of the finding; maximise benefits and minimise harms (reasons for and against disclosure) and the support and resources necessary to do this; duties of researchers; communication issues; right to know
Ries, LeGrandeur, Caulfield (2010)	Europe/North America (Canada, Denmark, England, France, the Netherlands, USA); genetic research - birth cohort studies	investigators involved in 6 birth cohort studies	to examine how a sample of birth cohort studies in North America and Europe has handled certain key ELS issues (recruitment, nature of consent sought, confidentiality and sample/data protection measures, handling sensitive information, disclosure of results, withdrawal)	qualitative - semi-structured telephone interviews	lead investigators from 6 birth cohort studies, out of a possible 14 contacted (RR=43%)	not all studies tell participants about how sensitive information will be handled; studies vary on whether results of more routine tests and measures will be returned, nothing of unknown clinical significance returned	possibility of disclosure; clinical utility; scientific validity; actionability

<p>Simon, Williams, Shinkunas, Brandt, Daack-Hirsch, Driessnack (2011)</p>	<p>USA; research genome-wide association studies (GWAS)</p>	<p>institutional review board (IRB) chairs at centres conducting GWAS</p>	<p>an exploratory descriptive study to gain a preliminary understanding of emerging IRB perspectives and practices in relation to addressing genomic incidental findings (GIFs) in informed consent processes</p>	<p>qualitative - semi-structured interviews</p>	<p>34 chairs; RR n/a ("purposive sample" and interviews continued until saturation was reached)</p>	<p>most chairs reported no knowledge of local IRB requirements regarding GIFs and informed consent, though several had experience with IFs; several suggestions made about how to improve consent processes; concerns regarding participant disclosure preferences changing over time, inherent limitations in determining the scope and accuracy of claims about GIFs, and making consent processes longer and more complex</p>	<p>the autonomy of research participants and their right to change their mind regarding disclosure preferences should be respected in the informed consent process</p>
<p>Townsend, Adam, Birch, Lohn, Rousseau, Friedman (2012)</p>	<p>Canada; clinical whole genome sequencing (WGS)</p>	<p>genetics health-care professionals, the general public, and parents whose children have experienced genetic testing</p>	<p>to explore and compare practical and ethical issues concerning disclosure of IFs in clinical settings from the perspective of some stakeholders</p>	<p>qualitative - focus groups</p>	<p>10 genetics health care professionals (RR=10/24); 8 parents (RR=8/(25*2?)); 10 lay people (RR n/a)</p>	<p>5 dominant themes emerged: pre-test discussions (important, but disagreement on whether IFs could be categorised or not), patient choice, patient responsibility (for following up future developments, because of limited clinical resources), communicating IFs (with sensitivity and comprehensively), impact and implications of IFs (anxiety, discrimination, wider family)</p>	<p>pre-test discussion and other communication issues; clinical relevance including seriousness, urgency, treatability, probability; also clinical relevance from the patient's viewpoint; justice; property and ownership, also in terms of the broader family; respect for autonomous choice; minimise potential harms (confusion, anxiety, possible discrimination); responsibilities of health care professionals and patients; presence of a minor</p>

Williams, Daack-Hirsch, Driessnack, Downing, Shinkunas, Brandt, Simon (2012)	USA; research genome-wide association studies (GWAS)	genomic researchers and institutional review board (IRB) chairs at centres conducting GWAS	to examine researcher and IRB chair perspectives on genomic incidental findings (GIFs)	qualitative - semi-structured telephone interviews	19 genomic researchers and 34 IRB chairs from 42 institutions; RR n/a ("purposive sample" and interviews continued until saturation was reached)	researchers favoured policies offering a case-by-case determination of GIF disclosure after discovery; IRB chairs favoured policies determining procedures for GIF disclosure prior to approval of the research	researchers: generally not in favour of disclosure as not coinciding with the purpose of research, to generate knowledge; GIFs with clear or probable medical significance should be disclosed, while GIFs of uncertain significance were seen as a difficult issue. IRB chairs: beneficence and minimising harm could be reasons to override a stated desire (not) to know
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417 **References**

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532 **Supplementary tables**

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535 **Supplementary table S1:** Quality of the quantitative studies identified for review, assessed  
536 according to the quality assessment tool (Qual Syst) developed by Kmet *et al.* (2004). Articles  
537 with a quality score higher than 55% were included for subsequent analysis.

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539 **Supplementary table S2:** Quality of the qualitative studies identified for review, assessed  
540 according to the quality assessment tool (Qual Syst) developed by Kmet *et al.* (2004). Articles  
541 with a quality score higher than 55% were included for subsequent analysis.

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