



HB 1401

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A bill to be entitled
 An act relating to blood establishments; creating part V
 of chapter 483, F.S., relating to blood establishments;
 prohibiting blood establishments from operating in this
 state without having the proper federal registration or
 authorization; declaring operation in violation of such
 prohibition a nuisance; providing for injunction;
 providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Part V of chapter 483, Florida Statutes,
 consisting of section 483.911, Florida Statutes, is created to
 read:

PART V

BLOOD ESTABLISHMENTS

483.911 Blood establishments.--

(1) DEFINITION.--For the purposes of this section, the
term "blood establishment" means any entity, organization, or
person operating within this state that examines any individual
for the purpose of blood donation or collects, processes,
stores, tests, or distributes blood or blood components
collected from the human body for the purpose of transfusion or
any other medical purpose or for the production of any
biological product and that is subject to regulation by the
federal Food and Drug Administration or other federal
governmental authority.

(2) OPERATION.--Any blood establishment operating in this
state is prohibited from conducting any of the activities listed
in subsection (1) unless it holds and maintains a valid, current



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31 registration or other authorization as required by the federal
 32 Food and Drug Administration or other federal governmental
 33 authority.

34 (3) CESSATION OF OPERATION.--Any blood establishment
 35 operating in this state without the required federal
 36 registration or authorization as described in this section is in
 37 violation of this section and shall immediately cease all
 38 operations in the state.

39 (4) INJUNCTION.--The operation of a blood establishment in
 40 this state without the required federal registration or
 41 authorization as described in this section is declared a
 42 nuisance, inimical to the public health, welfare, and safety. The
 43 Agency for Health Care Administration, or any state attorney in
 44 the name of the people of the state, may bring an action to
 45 enjoin such operation or to enjoin the future operation of any
 46 blood establishment posing a danger to the public health,
 47 welfare, and safety.

48 Section 2. This act shall take effect October 1, 2003.