

1
2 An act relating to blood establishments;
3 defining the term "blood establishment";
4 providing standards for the operation of a
5 blood establishment; declaring a blood
6 establishment that does not meet those
7 standards to be nuisance; authorizing the
8 Agency for Health Care Administration or any
9 state attorney to bring an action for
10 injunction to cease operations or enjoin future
11 operations of any blood establishment that does
12 not meet the standards and that endangers
13 donors or recipients; providing an effective
14 date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Blood establishments.--

19 (1) As used in this section, the term "blood
20 establishment" means any person, entity, or organization,
21 operating within the state, which examines an individual for
22 the purpose of blood donation or which collects, processes,
23 stores, tests, or distributes blood or blood components
24 collected from the human body for the purpose of transfusion,
25 for any other medical purpose, or for the production of any
26 biological product.

27 (2) Any blood establishment operating in the state may
28 not conduct any activity defined in subsection (1) unless that
29 blood establishment is operated in a manner consistent with
30 the provisions of parts 211 and 600-640 of Title 21, Code of
31 Federal Regulations.

1 (3) Any blood establishment determined to be operating
2 in the state in a manner not consistent with the provisions of
3 parts 211 and 600-640 of Title 21, Code of Federal
4 Regulations, and in a manner that constitutes a danger to the
5 health or well-being of donors or recipients as evidenced by
6 the federal Food and Drug Administration's inspection reports
7 and the revocation of the blood establishment's license or
8 registration shall be in violation of this part and shall
9 immediately cease all operations in the state.

10 (4) The operation of a blood establishment in a manner
11 not consistent with the provisions of parts 211 and 600-640 of
12 Title 21, Code of Federal Regulations and in a manner that
13 constitutes a danger to the health or well-being of blood
14 donors or recipients as evidenced by the federal Food and Drug
15 Administration's inspection process is declared a nuisance and
16 inimical to the public health, welfare, and safety. The Agency
17 for Health Care Administration or any state attorney may bring
18 an action for an injunction to restrain such operations or
19 enjoin the future operation of the blood establishment.

20 Section 2. This act shall take effect July 1, 2003.
21
22
23
24
25
26
27
28
29
30
31