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1 A bill to be entitled
2 An act relating to cord blood banking; amending s.
3 381.06015, F.S.; providing for the education of pregnant
4 women regarding umbilical cord blood banking; requiring
5 the State Surgeon General to publish specified information
6 relating to umbilical cord blood banking on the Department
7 of Health's Internet website; providing immunity from
8 liability for a health care facility or health care
9 provider that provides information regarding cord blood
10 banking; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 381.06015, Florida Statutes, is amended
15 to read:

16 381.06015 Public Cord Blood Tissue Bank.—

17 (1) There is established a statewide consortium to be
18 known as the Public Cord Blood Tissue Bank. The Public Cord
19 Blood Tissue Bank is established as a nonprofit legal entity to
20 collect, screen for infectious and genetic diseases, perform
21 tissue typing, cryopreserve, and store umbilical cord blood as a
22 resource to the public. The University of Florida, the
23 University of South Florida, the University of Miami, and the
24 Mayo Clinic, Jacksonville shall jointly form the collaborative
25 consortium, each working with community resources such as
26 regional blood banks, hospitals, and other health care providers
27 to develop local and regional coalitions for the purposes set
28 forth in this section ~~act~~. The consortium participants shall

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29 align their outreach programs and activities to all geographic
30 areas of the state, covering the entire state. The consortium is
31 encouraged to conduct outreach and research for Hispanics,
32 African Americans, Native Americans, and other ethnic and racial
33 minorities.

34 (2) The Agency for Health Care Administration and the
35 Department of Health shall encourage health care providers,
36 including, but not limited to, hospitals, birthing facilities,
37 county health departments, physicians, midwives, and nurses, to
38 disseminate information about the Public Cord Blood Tissue Bank
39 and the options for umbilical blood cord banking outlined in
40 this subsection to a pregnant woman before the third trimester
41 of pregnancy or at the time of her first visit to her health
42 care provider. The State Surgeon General shall make publicly
43 available, by posting on the Internet website of the Department
44 of Health, resources and an Internet website link to materials
45 relating to cord blood that have been developed by the Parent's
46 Guide to Cord Blood Foundation, including:

47 (a) An explanation of the potential value and uses of
48 umbilical cord blood, including cord blood cells and stem cells,
49 for individuals who are and individuals who are not biologically
50 related to a mother or her newborn infant.

51 (b) An explanation of the differences between using one's
52 own cord blood cells and using biologically related or
53 biologically unrelated cord blood stem cells in the treatment of
54 disease.

55 (c) An explanation of the differences between public and
56 private cord blood banking.

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57 (d) The options available to a pregnant woman with regard
58 to stem cells that are contained in the umbilical cord blood
59 after the delivery of her newborn infant, including:

60 1. Donating the stem cells to a public umbilical cord
61 blood bank when those facilities are available.

62 2. Storing the stem cells in a private family umbilical
63 cord blood bank for use by family members.

64 3. Storing the stem cells for use by family members
65 through a family or sibling donor banking program that provides
66 free collection, processing, and storage when there is an
67 existing medical need.

68 4. Discarding the stem cells.

69 (e) The medical processes involved in the collection of
70 cord blood.

71 (f) Family social or medical history criteria that may
72 impact a family's consideration of umbilical cord blood banking,
73 including the likelihood of using cord blood to serve as a match
74 for a family member who has a medical condition.

75 (g) Options for ownership and future use of donated cord
76 blood.

77 (h) The average cost of public and private cord blood
78 banking.

79 (i) The availability of public and private cord blood
80 banks to citizens of the state, including:

81 1. A list of public cord blood banks and the hospitals
82 served by such blood banks.

83 2. A list of private cord blood banks that are available.

84 3. The availability of free family cord blood banking and

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85 sibling donor programs when a family member has an existing
86 medical need.

87 (j) An explanation of which racial and ethnic groups are
88 in particular need of publicly donated cord blood samples based
89 upon medical data developed by the Health Resources and Services
90 Administration of the United States Department of Health and
91 Human Services.

92 (3) Nothing in this section creates a requirement of any
93 health care or services program that is directly affiliated with
94 a bona fide religious denomination that includes as an integral
95 part of its beliefs and practices the tenet that blood transfer
96 is contrary to the moral principles the denomination considers
97 to be an essential part of its beliefs.

98 (4) Any health care facility or health care provider
99 receiving financial remuneration for the collection of umbilical
100 cord blood shall provide written disclosure of this information
101 to any woman postpartum or parent of a newborn from whom the
102 umbilical cord blood is collected prior to the harvesting of the
103 umbilical cord blood.

104 (5) A woman admitted to a hospital or birthing facility
105 for obstetrical services may be offered the opportunity to
106 donate umbilical cord blood to the Public Cord Blood Tissue
107 Bank. A woman may not be required to make such a donation.

108 (6) The consortium may charge reasonable rates and fees to
109 recipients of cord blood tissue bank products.

110 (7) A health care facility or health care provider may not
111 be held liable in any manner for damages and is not subject to
112 criminal penalties for providing information relating to options

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113 | for umbilical cord blood banking.

114 | ~~(8)(7)~~ In order to fund the provisions of this section the
115 | consortium participants, the Agency for Health Care
116 | Administration, and the Department of Health shall seek private
117 | or federal funds to initiate program actions for fiscal year
118 | 2011-2012 ~~2000-2001~~.

119 | Section 2. This act shall take effect July 1, 2011.