

By Senator Flores

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1 A bill to be entitled
2 An act relating to umbilical cord blood banking;
3 requiring the Department of Health to post on its
4 website certain resources and a website link to
5 specified materials regarding umbilical cord blood
6 banking; requiring the department to encourage certain
7 health care providers to make available to their
8 pregnant patients information related to umbilical
9 cord blood banking; providing that a health care
10 provider or health care facility and its employees or
11 agents are not liable for damages in a civil action,
12 subject to prosecution in a criminal proceeding, or
13 subject to disciplinary action by the appropriate
14 regulatory board for acting in good faith to comply
15 with the act; providing an effective date.

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

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19 Section 1. (1) The Department of Health shall make publicly
20 available, by posting on its Internet website, resources and an
21 Internet website link to materials relating to umbilical cord
22 blood which have been developed by the Parent's Guide to Cord
23 Blood Foundation, Inc., including:

24 (a) An explanation of the potential value and uses of
25 umbilical cord blood, including cord blood cells and stem cells,
26 for individuals who are, as well as individuals who are not,
27 biologically related to a mother or her newborn child.

28 (b) An explanation of the differences between using one's
29 own cord blood cells and using biologically related or

38-00430A-11

2011702__

30 biologically unrelated cord blood stem cells in the treatment of
31 disease.

32 (c) An explanation of the differences between public and
33 private umbilical cord blood banking.

34 (d) The options available to a mother relating to stem
35 cells that are contained in the umbilical cord blood after the
36 delivery of her newborn, including:

37 1. Donating the stem cells to a public umbilical cord blood
38 bank where facilities are available;

39 2. Storing the stem cells in a private family umbilical
40 cord blood bank for use by immediate and extended family
41 members;

42 3. Storing the stem cells for use by family members through
43 a family or sibling donor banking program that provides free
44 collection, processing, and storage if there is an existing
45 medical need; and

46 4. Discarding the stem cells.

47 (e) The medical processes involved in the collection of
48 cord blood.

49 (f) Criteria for medical or family history that can impact
50 a family's consideration of umbilical cord blood banking,
51 including the likelihood of using a baby's cord blood to serve
52 as a match for a family member who has a medical condition.

53 (g) Options for ownership and future use of donated
54 umbilical cord blood.

55 (h) The average cost of public and private umbilical cord
56 blood banking.

57 (i) The availability of public and private cord blood banks
58 to residents of this state, including:

38-00430A-11

2011702

59 1. A list of public cord blood banks and the hospitals
60 served by such blood banks;

61 2. A list of private cord blood banks that are available;
62 and

63 3. The availability of free family banking and sibling
64 donor programs if there is an existing medical need by a family
65 member.

66 (j) An explanation of which racial and ethnic groups are in
67 particular need of publicly donated cord blood samples based
68 upon medical data developed by the Health Resources and Services
69 Administration of the United States Department of Health and
70 Human Services.

71 (2) The Department of Health shall encourage health care
72 providers who provide health care services that are directly
73 related to a woman's pregnancy to make available to a pregnant
74 patient before her third trimester of pregnancy, or, if later,
75 at the first visit of such patient to the provider, information
76 listed under subsection (1) which relates to the patient's
77 options regarding umbilical cord blood banking.

78 (3) A health care provider or a health care facility, or
79 any employee or agent thereof, is not liable for damages in a
80 civil action, subject to prosecution in a criminal proceeding,
81 or subject to disciplinary action by the appropriate regulatory
82 board for acting in good faith to comply with the provisions of
83 this section.

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