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1                   A bill to be entitled  
2           An act relating to umbilical cord blood banking;  
3           creating s. 381.06016, F.S.; requiring the Department  
4           of Health to post on its website certain resources and  
5           a website link to specified materials regarding  
6           umbilical cord blood banking; requiring the department  
7           to encourage certain health care providers to make  
8           available to their pregnant patients information  
9           related to umbilical cord blood banking; providing  
10          that a health care provider or health care facility  
11          and its employees or agents are not liable for damages  
12          in a civil action, subject to prosecution in a  
13          criminal proceeding, or subject to disciplinary action  
14          by the appropriate regulatory board for acting in good  
15          faith to comply with the act; providing an effective  
16          date.

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

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20          Section 1. Section 381.06016, Florida Statutes, is created  
21          to read:

22          381.06016 Umbilical cord blood awareness.—

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

28          (a) An explanation of the potential value and uses of  
29          umbilical cord blood, including cord blood cells and stem cells,

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30 for individuals who are, as well as individuals who are not,  
31 biologically related to a mother or her newborn child.

32 (b) An explanation of the differences between using one's  
33 own cord blood cells and using biologically related or  
34 biologically unrelated cord blood stem cells in the treatment of  
35 disease.

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

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

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

43 2. Storing the stem cells in a private family umbilical  
44 cord blood bank for use by immediate and extended family  
45 members;

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

50 4. Discarding the stem cells.

51 (e) The medical processes involved in the collection of  
52 cord blood.

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

57 (g) Options for ownership and future use of donated  
58 umbilical cord blood.

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59 (h) The average cost of public and private umbilical cord  
60 blood banking.

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

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

65 2. A list of private cord blood banks that are available;  
66 and

67 3. The availability of free family banking and sibling  
68 donor programs if there is an existing medical need by a family  
69 member.

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

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

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

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