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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:

19
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.