

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2306

By: Hamilton

COMMITTEE SUBSTITUTE

An Act relating to public health and safety; creating the Danielle Martinez Act; authorizing umbilical cord blood donation; providing for duties and responsibilities; providing exceptions; providing for dissemination of information; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2171 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Danielle Martinez Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2172 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. All licensed hospitals shall offer a pregnant patient the option to donate, to a publicly accessible certified cord blood bank, blood extracted from the umbilical cord following the delivery of a newborn child if the collection and storage of the donation can be made at no expense to the patient or hospital. A woman shall not be required to make such a donation.

B. Nothing in this section obligates a hospital to collect umbilical cord blood if, in the professional judgment of a licensed physician, the collection would threaten the health of the mother or child.

C. Nothing in this section imposes a requirement upon any hospital employee, physician, nurse or hospital that is directly affiliated with a bona fide religious denomination that includes as an integral part of its beliefs and practices the tenet that blood transfer is contrary to the moral principles the denomination considers to be an essential part of its beliefs.

D. The State Department of Health shall determine which publicly accessible certified cord blood banks are available for donation. The Department shall disseminate a list of the publicly accessible certified cord blood banks to all licensed hospitals.

E. The State Department of Health shall encourage health care providers including, but not limited to, hospitals, birthing facilities, local county health departments, physicians, midwives, and nurses, to disseminate information about umbilical cord blood donation.

SECTION 3. This act shall become effective November 1, 2004.

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