

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2237

By: Schwartz

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5
6 AS INTRODUCED

7 An Act relating to public health and safety;
8 providing for establishment, operation and
9 maintenance of public umbilical cord blood bank;
10 stating purpose; establishing program of education
11 for maternity patients; providing requirements for
education program; specifying certain disclosure;
12 providing for certain exclusions from scope of act;
13 providing for codification; and providing an
effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 2175 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 A. On or before January 1, 2009, the State Department of
19 Health, in collaboration with a private blood donor or private blood
20 bank organization, shall establish, operate and maintain a public
21 umbilical cord blood bank for the purpose of collecting and storing
22 umbilical cord blood and placental tissue donated by maternity
23 patients at hospitals licensed in this state.

1 B. On or before January 1, 2009, the State Department of
2 Health, in collaboration with a private blood donor or private blood
3 bank organization shall establish a program to educate maternity
4 patients with respect to the subject of cord blood banking. The
5 program shall provide maternity patients with sufficient information
6 to make an informed decision on whether or not to participate in a
7 private or public umbilical cord blood banking program and shall
8 include, but not be limited to, explanations and information on:

9 1. The difference between public and private umbilical cord
10 blood banking;

11 2. The medical process involved in umbilical cord blood
12 banking;

13 3. The current and potential future medical uses of stored
14 umbilical cord blood;

15 4. The benefits and risks involved in banking umbilical cord
16 blood; and

17 5. The availability and cost of storing umbilical cord blood
18 and placental tissue in public and private umbilical cord blood
19 banks.

20 C. 1. Each physician licensed in this state and each hospital
21 licensed in this state shall inform each pregnant patient under the
22 care of the physician or hospital, not later than thirty (30) days
23 from the commencement of the patient's third trimester of pregnancy,
24 of the opportunity to donate to the public umbilical cord blood

1 bank, established under subsection A of this section, blood and
2 tissue extracted from the umbilical cord and placenta, following
3 delivery of a newborn child, at no cost to the patient.

4 2. Nothing in this section shall be construed to:

- 5 a. obligate a hospital to collect umbilical cord blood or
6 placental tissue if, in the professional judgment of a
7 physician licensed in this state, the collection would
8 threaten the health of the mother or child,
- 9 b. prohibit a maternity patient from donating or storing
10 blood extracted from the umbilical cord or placenta of
11 the patient's newborn child to a private umbilical
12 cord blood and placental tissue bank, or
- 13 c. impose a requirement upon attending medical personnel
14 who object to umbilical cord blood or placental tissue
15 donation as being in conflict with their religious
16 tenets and practice.

17 SECTION 2. This act shall become effective November 1, 2008.

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19 51-2-9379 SAB 01/07/08
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