



1 Section 2175. A. ~~Contingent on the provision of appropriated~~  
2 ~~funds designated for the State Department of Health or the donation~~  
3 ~~of private funds to the State Department of Health for such purpose,~~  
4 ~~on~~ On or before January 1, 2009 ~~the State Department of Health, in~~  
5 ~~collaboration with~~ 2013, a private blood donor or private blood bank  
6 organization in this state, shall establish, operate and maintain a  
7 public umbilical cord blood bank or cord blood collection operation  
8 for the purpose of collecting, processing, and storing umbilical  
9 cord blood and placental tissue donated by maternity patients at  
10 hospitals licensed in this state.

11 B. In order to fund the public umbilical cord blood bank or  
12 cord blood collection operation, beginning January 1, 2013, the  
13 State Board of Health shall:

14 1. Increase the fee to obtain a birth certificate by Five  
15 Dollars (\$5.00); and

16 2. Deposit such five-dollar increase per birth certificate in  
17 the revolving fund established pursuant to Section 3 of this act.

18 The State Board of Health shall remove such five-dollar increase  
19 after a five-year period.

20 C. On or before January 1, 2009 2013, ~~the State Department of~~  
21 ~~Health, in collaboration with~~ a private blood donor or private blood  
22 bank organization in this state shall establish a program to educate  
23 maternity patients with respect to the subject of cord blood

1 banking. The program shall provide maternity patients with  
2 sufficient information to make an informed decision on whether or  
3 not to participate in a private or public umbilical cord blood  
4 banking program and shall include, but not be limited to,  
5 explanations and information on:

6 1. The difference between public and private umbilical cord  
7 blood banking;

8 2. The medical process involved in umbilical cord blood  
9 banking;

10 3. The current and potential future medical uses of stored  
11 umbilical cord blood;

12 4. The benefits and risks involved in banking umbilical cord  
13 blood; and

14 5. The availability and cost of storing umbilical cord blood  
15 and placental tissue in public and private umbilical cord blood  
16 banks.

17 ~~C. D.~~ 1. ~~Each physician~~ Physicians licensed in this state and  
18 ~~each hospital~~ hospitals licensed in this state shall have available  
19 information to inform ~~each pregnant patient~~ patients under the care  
20 of the ~~physician~~ physicians or ~~hospital,~~ ~~not later than thirty (30)~~  
21 ~~days from the commencement of the patient's third trimester of~~  
22 ~~pregnancy,~~ hospitals of the opportunity to donate to the public  
23 umbilical cord blood bank, established under subsection A of this

1 section, blood and tissue extracted from the umbilical cord and  
2 placenta, following delivery of a newborn child, at no cost to the  
3 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. AMENDATORY 63 O.S. 2011, Section 2175.1, is  
18 amended to read as follows:

19 Section 2175.1 A. On or before ~~July~~ December 1, ~~2008~~ 2012, the  
20 State Commissioner of Health shall request information from one or  
21 more ~~umbilical cord~~ private blood banks in this state concerning the  
22 establishment of a public cord blood collection operation within  
23 this state to collect, transport, process and store cord blood units

1 from Oklahoma residents for therapeutic and research purposes. Any  
2 such request for information shall include provisions requiring  
3 certification that the private blood donor or private blood bank  
4 organization:

5 1. Had a principal place of business located in the state prior  
6 to January 1, 2012;

7 2. Held operations in at least four separate cities located in  
8 the state in which cord blood collections could potentially occur  
9 prior to January 1, 2012;

10 3. Held accreditation from the Foundation for the Accreditation  
11 of Cellular Therapy prior to January 1, 2012; and

12 4. Can establish a demonstrable history of cell collections.

13 Any such request for information shall contain provisions  
14 inquiring about the ability of the umbilical cord blood bank to:

15 1. Establish and operate one or more collection sites within  
16 the state to collect a targeted number of cord blood units;

17 2. Implement collection procedures designed to collect cord  
18 blood units that reflect the state's racial and ethnic diversity;

19 3. Set up public cord blood collection operations not later  
20 than six (6) months after execution of a contract with the state,  
21 provided the umbilical cord blood bank is able to negotiate any  
22 necessary contracts related to the collection sites within that time  
23 frame;

1 4. Participate in the National Cord Blood Coordinating Center  
2 or similar national cord blood inventory center by listing cord  
3 blood units in a manner that assures maximum opportunity for use;

4 5. Have a program that provides cord blood units for research  
5 and agree to provide cord blood units that are unsuitable for  
6 therapeutic use to researchers for basic research located within the  
7 state at no charge; and

8 6. Maintain national accreditation by an accrediting  
9 organization recognized by the federal Health Resources and Services  
10 Administration.

11 B. On or before January 1, ~~2009~~ 2013, the State Commissioner of  
12 Health shall submit, as and in the manner provided for by law, a  
13 summary of the responses to the request for information, along with  
14 any recommendations, to the Governor, the Speaker of the House of  
15 Representatives, the President Pro Tempore of the Senate, and the  
16 chairs of those committees of the Legislature with legislative  
17 responsibility over matters relating to public health.

18 SECTION 3. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 2175.2 of Title 63, unless there  
20 is created a duplication in numbering, reads as follows:

21 There is hereby created in the State Treasury a revolving fund  
22 for the State Department of Health to be designated as the "Public  
23 Umbilical Cord Blood Bank Fund". The fund shall be a continuing  
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1 fund, not subject to fiscal year limitations, and shall consist of  
2 all monies deposited to the credit of the fund by law. All monies  
3 accruing to the credit of said fund shall be budgeted and expended  
4 by the State Department of Health for the establishment of the  
5 public umbilical cord blood bank. Expenditures from said fund shall  
6 be made upon warrants issued by the State Treasurer against claims  
7 filed as prescribed by law with the Director of the Office of State  
8 Finance for approval and payment.

9 SECTION 4. This act shall become effective November 1, 2012.

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11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
12 02/29/2012 - DO PASS, As Amended and Coauthored.

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