

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 SENATE BILL 139

By: Gumm

6 AS INTRODUCED

7 An Act relating to public health and safety;
8 directing the University of Oklahoma Health Sciences
9 Center in collaboration with the Commissioner of
10 Health to establish and maintain a public umbilical
11 cord blood bank; directing the State Department of
12 Health to establish a program to educate maternity
13 patients; requiring certain physicians and hospitals
14 to provide specified information; clarifying
15 obligation of hospital; clarifying right of maternity
16 patients; clarifying religious rights; providing for
17 codification; and providing an effective date.

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

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

22 A. On or before January 1, 2008, the University of Oklahoma
23 Health Sciences Center, in collaboration with the Commissioner of
24 Health, shall establish, operate and maintain a public umbilical
cord blood bank for the purpose of collecting and storing umbilical
cord blood and placental tissue donated by maternity patients at
hospitals licensed in this state.

1 B. On or before January 1, 2008, the State Department of Health
2 shall establish a program to educate maternity patients with respect
3 to the subject of cord blood banking. Such program shall provide
4 maternity patients with sufficient information to make an informed
5 decision on whether or not to participate in a private or public
6 umbilical cord blood banking program and shall include, but not be
7 limited to explanations and information on:

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

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

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

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

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

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

1 extracted from the umbilical cord and placenta, following delivery
2 of a newborn child, at no cost to the patient.

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

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

16 SECTION 2. This act shall become effective November 1, 2007.

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