

BILL SUMMARY
2nd Session of the 53rd Legislature

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| Bill No.: | SB 1433 |
| Version: | Floor Amendment 10 |
| Request Number: | N/A |
| Author: | Rep. Cox |
| Date: | 4/17/2012 |
| Impact: | OSDH admin. expenses: \$131,406/yr. OSDH fee revenue: \$1 Million/yr. Cord Blood Bank Start-up costs: Unknown, Potentially Significant |

Research Analysis

Floor amendment 10 to SB 1433 requires an Oklahoma private blood donor or private blood bank organization to establish a public umbilical cord blood bank by Jan. 1, 2013, and requires the State Board of Health to fund it by increasing the birth certificate fee by \$5 for five years. The measure requires the Commissioner of Health to solicit information concerning the establishment of a cord blood bank from Oklahoma-based, private blood banks that can certify that they had locations in at least four cities in Oklahoma prior to Jan. 1, 2012, and that they are accredited and have experience in cell collections. The measure deletes the requirement that the State Department of Health establish the bank by Jan. 1, 2009, with any umbilical cord blood bank, contingent on funding. The measure extends to Jan. 1, 2013, the date by which the Commissioner of Health must submit a summary of responses to the request for information and recommendations to the Governor and Legislature. It requires a private blood organization to establish a program to educate maternity patients about cord blood banking and removes the requirement that the Department collaborate to establish the program. It also creates a revolving fund for monies accruing for the establishment of the public cord blood bank.

SB 1433 requires that Oklahoma law be interpreted and construed to acknowledge on behalf of the unborn child at every stage of development all the rights, privileges and immunities available to other persons, citizens and residents of the state. The term *unborn children* includes all unborn children or the offspring of human beings from the moment of conception until birth at every state of biological development. Nothing in the measure is to be interpreted as creating a cause of action against a woman for indirectly harming her unborn child by failing to properly care for herself or failing to follow any particular program of prenatal care. Nothing in the measure prohibits contraception or in vitro fertilization, and it reserves the Legislature's authority to regulate in vitro procedures.

Prepared By: Robin McAlister

Fiscal Analysis

Officials from the State Department of Health (OSDH) estimate a need for 1.5 FTEs plus equipment at a cost to the agency of \$131,406 annually to administer their duties under the measure. Such duties as interpreted by OSDH include oversight and monitoring related to informed consent, collection and storage, ethical use of donation, operational standards and oversight. OSDH estimates revenue of approximately \$1 Million annually from the \$5 fee increase contained in the measure. The start-up costs associated with launching the Cord Blood

Bank are currently unknown, though OSDH conservatively estimates \$6 Million, based on study of the concept in previous years.

Prepared By: John McPhetridge

Other Considerations

The measure calls for the \$5.00 Birth Certificate fee increase to discontinue after a 5 year period. Whether the program will be able to generate revenue to adequately cover expenses at that point is currently unknown.