

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3833 By: May

4

5

6 AS INTRODUCED

7 An Act relating to blood autologous; creating the
8 Oklahoma Autologous and Directed Blood Donation Act;
9 defining terms; providing for physician orders;
10 directing hospital responsibilities; establishing
11 blood bank responsibilities; providing for
12 administrative fees; establishing liability
13 protections; directing for the promulgation of rules
14 by the State Department of Health; providing for
15 noncodification; providing for codification; and
16 providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 This act shall be known and may be cited as the "Oklahoma
21 Autologous and Directed Blood Donation Act".

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 2160 of Title 63, unless there
24 is created a duplication in numbering, reads as follows:

As used in this act:

1 1. "Autologous donation" means a blood donation made by a
2 patient for his or her own future use for a planned medical
3 procedure;

4 2. "Blood bank" or "blood establishment" means an entity
5 licensed, accredited, or registered to collect, process, store, or
6 distribute human blood or blood components;

7 3. "Directed donation" means a blood donation made by an
8 individual specifically designated for use by a named patient,
9 provided donor eligibility requirements are met;

10 4. "Hospital" means any facility licensed pursuant to Title 63
11 of the Oklahoma Statutes that provides medical, surgical, or
12 emergency services; and

13 5. "Physician" means a doctor of medicine or doctor of
14 osteopathic medicine licensed by the State Board of Medical
15 Licensure and Supervision pursuant to Section 491 of Title 59 of the
16 Oklahoma Statutes or the State Board of Osteopathic Examiners
17 pursuant to Section 622 of Title 59 of the Oklahoma Statutes.

18 SECTION 3. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2160.1 of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 A hospital or blood bank shall comply with a physician's written
22 order for a patient to use autologous or directed blood donations
23 for a scheduled medical procedure, provided:

1 1. The donor meets all standard eligibility and safety
2 requirements established by federal and state regulations;

3 2. The request is made at least seventy two (72) hours in
4 advance of the scheduled procedure, or within another reasonable
5 timeframe established by the State Department of Health by rule, to
6 allow routine processing and testing; and

7 3. The correct type and amount of autologous or directed unit
8 is available at the time of transfusion.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 2160.2 of Title 63, unless there
11 is created a duplication in numbering, reads as follows:

12 A hospital shall:

13 1. Permit the use of autologous or directed blood donations for
14 a patient when ordered by the patient's physician;

15 2. Coordinate with the blood bank or blood establishment to
16 ensure proper labeling, storage, and timely availability; and

17 3. Not restrict or deny the use of autologous or directed
18 donations solely due to internal policy or preference when physician
19 orders and donor eligibility criteria are satisfied.

20 SECTION 5. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 2160.3 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A blood bank or blood establishment shall:

1 1. Collect, process, store, and make available autologous or
2 directed blood donations in accordance with applicable federal and
3 state standards;

4 2. Comply with any physician's order for such donations
5 pursuant to Section 4 of this act; and

6 3. Ensure proper chain-of-custody, tracking, and labeling to
7 maintain the integrity of autologous or directed units.

8 SECTION 6. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 2160.4 of Title 63, unless there
10 is created a duplication in numbering, reads as follows:

11 A hospital or blood bank may charge reasonable and necessary
12 administrative fees associated with the special handling,
13 collection, processing, storage, or coordination of autologous or
14 directed blood donations. These fees shall be:

15 1. Consistent with fees customarily charged for similar
16 services; and

17 2. When practicable, disclosed to the patient in advance.

18 SECTION 7. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2160.5 of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 A hospital or blood bank is not liable for the unavailability of
22 a requested autologous or directed unit if:

23 1. The donor fails eligibility screening;

2. The donation is determined unsuitable based on standard safety testing;

3. The unit is not available due to expiration or other routine storage limitations; or

4. Circumstances beyond the control of the facility prevent delivery.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2160.6 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Department of Health shall promulgate rules necessary to implement this act within one hundred eighty (180) days of the effective date, provided that such rules:

1. Shall not impose requirements beyond existing federal blood-handling standards; and

2. Shall consult with hospitals, blood establishments, physicians, and other relevant stakeholders.

SECTION 9. This act shall become effective November 1, 2026.

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