SUBSTITUTE FOR HOUSE BILL NO. 6291

A bill to amend 1978 PA 368, entitled "Public health code,"

(MCL 333.1101 to 333.25211) by adding section 2682.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 SEC. 2682. (1) IF FUNDING IS MADE AVAILABLE, THE DEPARTMENT
- 2 SHALL ESTABLISH A STATEWIDE NETWORK OF CORD BLOOD STEM CELL BANKS.
- 3 THE DIRECTOR OF THE DEPARTMENT SHALL ENTER INTO CONTRACTS WITH
- 4 QUALIFIED CORD BLOOD STEM CELL BANKS TO ASSIST IN THE
- 5 ESTABLISHMENT, PROVISION, AND MAINTENANCE OF THE NETWORK.
- 6 (2) A CORD BLOOD STEM CELL BANK IS ELIGIBLE TO ENTER THE
- 7 NETWORK AND BE A DONOR BANK IF IT SATISFIES EACH OF THE FOLLOWING:
- 8 (A) HAS OBTAINED ALL APPLICABLE FEDERAL AND STATE LICENSES,
- 9 ACCREDITATIONS, CERTIFICATIONS, REGISTRATIONS, AND OTHER

- 1 AUTHORIZATIONS REQUIRED TO OPERATE AND MAINTAIN A CORD BLOOD STEM
- 2 CELL BANK.
- 3 (B) HAS IMPLEMENTED DONOR SCREENING AND CORD BLOOD COLLECTION
- 4 PRACTICES ADEQUATE TO PROTECT BOTH DONORS AND TRANSPLANT RECIPIENTS
- 5 AND TO PREVENT TRANSMISSION OF POTENTIALLY HARMFUL INFECTIONS AND
- 6 OTHER DISEASES.
- 7 (C) HAS ESTABLISHED A SYSTEM OF STRICT CONFIDENTIALITY TO
- 8 PROTECT THE IDENTITY AND PRIVACY OF PATIENTS AND DONORS IN
- 9 ACCORDANCE WITH EXISTING FEDERAL AND STATE LAW AND CONSISTENT WITH
- 10 REGULATIONS PROMULGATED UNDER THE HEALTH INSURANCE PORTABILITY AND
- 11 ACCOUNTABILITY ACT OF 1996, PUBLIC LAW 104-191, FOR THE RELEASE OF
- 12 THE IDENTITY OF DONORS, RECIPIENTS, OR IDENTIFIABLE RECORDS.
- 13 (D) HAS ESTABLISHED A SYSTEM FOR ENCOURAGING DONATION BY AN
- 14 ETHNICALLY AND RACIALLY DIVERSE GROUP OF DONORS.
- 15 (E) HAS DEVELOPED ADEQUATE SYSTEMS FOR COMMUNICATION WITH
- 16 OTHER CORD BLOOD STEM CELL BANKS, TRANSPLANT CENTERS, AND
- 17 PHYSICIANS WITH RESPECT TO THE REQUEST, RELEASE, AND DISTRIBUTION
- 18 OF CORD BLOOD UNITS NATIONALLY AND HAS DEVELOPED SUCH SYSTEMS,
- 19 CONSISTENT WITH THE REGULATIONS PROMULGATED UNDER THE HEALTH
- 20 INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, PUBLIC LAW
- 21 104-191, TO TRACK RECIPIENTS' CLINICAL OUTCOMES FOR DISTRIBUTED
- 22 UNITS.
- 23 (F) HAS DEVELOPED AN OBJECTIVE SYSTEM FOR EDUCATING THE
- 24 PUBLIC, INCLUDING PATIENT ADVOCACY ORGANIZATIONS, ABOUT THE
- 25 BENEFITS OF DONATING AND UTILIZING CORD BLOOD STEM CELLS IN
- 26 APPROPRIATE CIRCUMSTANCES.
- 27 (3) A DONOR BANK THAT ENTERS INTO THE NETWORK SHALL DO ALL OF

- 1 THE FOLLOWING:
- 2 (A) ACQUIRE, TISSUE-TYPE, TEST, CRYOPRESERVE, AND STORE
- 3 DONATED UNITS OF HUMAN CORD BLOOD ACQUIRED WITH THE INFORMED
- 4 CONSENT OF THE DONOR, IN A MANNER THAT COMPLIES WITH APPLICABLE
- 5 FEDERAL REGULATIONS.
- 6 (B) MAKE CORD BLOOD UNITS COLLECTED UNDER THIS SECTION, OR
- 7 OTHERWISE, AVAILABLE TO TRANSPLANT CENTERS FOR STEM CELL
- 8 TRANSPLANTATION.
- 9 (C) ALLOCATE UP TO 10% OF THE CORD BLOOD INVENTORY EACH YEAR
- 10 FOR PEER-REVIEWED RESEARCH. THIS QUOTA MAY BE MET BY USING CORD
- 11 BLOOD UNITS THAT DID NOT MEET THE CELL COUNT STANDARDS NECESSARY
- 12 FOR TRANSPLANTATION.
- 13 (4) A BOARD OF DIRECTORS SHALL GOVERN AND ADMINISTER THE STATE
- 14 CORD BLOOD STEM CELL BANK NETWORK. THE BOARD SHALL BE APPOINTED BY
- 15 THE DIRECTOR AND CONSIST OF MEMBERS WHO REPRESENT EACH OF THE
- 16 FOLLOWING:
- 17 (A) CORD BLOOD STEM CELL TRANSPLANT CENTERS.
- 18 (B) PHYSICIANS FROM PARTICIPATING BIRTHING HOSPITALS.
- 19 (C) THE CORD BLOOD STEM CELL RESEARCH COMMUNITY.
- 20 (D) RECIPIENTS OF CORD BLOOD STEM CELL TRANSPLANTS.
- 21 (E) FAMILY MEMBERS WHO HAVE MADE A DONATION TO A STATEWIDE
- 22 CORD BLOOD STEM CELL BANK.
- 23 (F) INDIVIDUALS WITH EXPERTISE IN THE SOCIAL SCIENCES.
- 24 (G) MEMBERS OF THE GENERAL PUBLIC.
- 25 (H) EACH NETWORK DONOR BANK.
- 26 (5) EXCEPT AS OTHERWISE PROVIDED UNDER THIS SUBSECTION, EACH
- 27 MEMBER OF THE BOARD SHALL SERVE FOR A 3-YEAR TERM AND MAY BE

- REAPPOINTED FOR 1 OR MORE ADDITIONAL TERMS. APPOINTMENTS FOR THE 1
- 2 INITIAL MEMBERS SHALL BE FOR TERMS OF 1, 2, AND 3 YEARS,
- 3 RESPECTIVELY, SO AS TO PROVIDE FOR THE SUBSEQUENT APPOINTMENT OF AN
- 4 EQUAL NUMBER OF MEMBERS EACH YEAR. THE BOARD SHALL ELECT A
- CHAIRPERSON AND DO EACH OF THE FOLLOWING: 5
- (A) ENSURE THAT THE DONOR BANKS WITHIN THE NETWORK MEET THE 6
- 7 REQUIREMENTS OF SUBSECTION (2) ON A CONTINUING BASIS.
- 8 (B) ENCOURAGE NETWORK DONOR BANKS TO WORK COLLABORATIVELY WITH
- OTHER NETWORK DONOR BANKS AND ENCOURAGE NETWORK DONOR BANKS TO 9
- FOCUS THEIR RESOURCES IN THEIR RESPECTIVE LOCAL OR REGIONAL AREA. 10
- 11 (C) DESIGNATE 1 OR MORE ESTABLISHED NATIONAL OR INTERNATIONAL
- 12 CORD BLOOD REGISTRIES TO SERVE AS A STATEWIDE CORD BLOOD STEM CELL
- 13 REGISTRY.
- 14 (D) COORDINATE THE DONOR BANKS IN THE NETWORK.
- 15 Enacting section 1. This amendatory act does not take effect
- 16 unless all of the following bills of the 93rd Legislature are
- 17 enacted into law:
- 18 (a) Senate Bill No. 1353.
- 19 (b) House Bill No. 6293.