

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

1 REAPPOINTED FOR 1 OR MORE ADDITIONAL TERMS. APPOINTMENTS FOR THE
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
5 CHAIRPERSON AND DO EACH OF THE FOLLOWING:

6 (A) ENSURE THAT THE DONOR BANKS WITHIN THE NETWORK MEET THE
7 REQUIREMENTS OF SUBSECTION (2) ON A CONTINUING BASIS.

8 (B) ENCOURAGE NETWORK DONOR BANKS TO WORK COLLABORATIVELY WITH
9 OTHER NETWORK DONOR BANKS AND ENCOURAGE NETWORK DONOR BANKS TO
10 FOCUS THEIR RESOURCES IN THEIR RESPECTIVE LOCAL OR REGIONAL AREA.

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.