

SENATE BILL No. 1355

June 29, 2006, Introduced by Senators BROWN, VAN WOERKOM, BIRKHOLZ, ALLEN, GILBERT, KUIPERS, GOSCHKA, JOHNSON, HAMMERSTROM, TOY, PATTERSON and GARCIA and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 2681.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2681. (1) THE DEPARTMENT SHALL ESTABLISH A STATEWIDE
2 NETWORK OF CORD BLOOD STEM CELL BANKS THAT CONTAIN AT LEAST 150,000
3 UNITS OF HUMAN CORD BLOOD STEM CELLS. THE DIRECTOR OF THE
4 DEPARTMENT SHALL ENTER INTO CONTRACTS WITH QUALIFIED CORD BLOOD
5 STEM CELL BANKS TO ASSIST IN THE ESTABLISHMENT, PROVISION, AND
6 MAINTENANCE OF THE NETWORK.

7 (2) A CORD BLOOD STEM CELL BANK IS ELIGIBLE TO ENTER THE
8 NETWORK AND BE A DONOR BANK IF IT SATISFIES EACH OF THE FOLLOWING:

1 (A) HAS OBTAINED ALL APPLICABLE FEDERAL AND STATE LICENSES,
2 CERTIFICATIONS, REGISTRATIONS, AND OTHER AUTHORIZATIONS REQUIRED TO
3 OPERATE AND MAINTAIN A CORD BLOOD STEM CELL BANK.

4 (B) HAS IMPLEMENTED DONOR SCREENING AND CORD BLOOD COLLECTION
5 PRACTICES ADEQUATE TO PROTECT BOTH DONORS AND TRANSPLANT RECIPIENTS
6 AND TO PREVENT TRANSMISSION OF POTENTIALLY HARMFUL INFECTIONS AND
7 OTHER DISEASES.

8 (C) HAS ESTABLISHED A SYSTEM OF STRICT CONFIDENTIALITY TO
9 PROTECT THE IDENTITY AND PRIVACY OF PATIENTS AND DONORS IN
10 ACCORDANCE WITH EXISTING FEDERAL AND STATE LAW AND CONSISTENT WITH
11 REGULATIONS PROMULGATED UNDER THE HEALTH INSURANCE PORTABILITY AND
12 ACCOUNTABILITY ACT OF 1996, PUBLIC LAW 104-191, FOR THE RELEASE OF
13 THE IDENTITY OF DONORS, RECIPIENTS, OR IDENTIFIABLE RECORDS.

14 (D) HAS ESTABLISHED A SYSTEM FOR ENCOURAGING DONATION BY AN
15 ETHNICALLY DIVERSE GROUP OF DONORS.

16 (E) HAS DEVELOPED ADEQUATE SYSTEMS FOR COMMUNICATION WITH
17 OTHER CORD BLOOD STEM CELL BANKS, TRANSPLANT CENTERS, AND
18 PHYSICIANS WITH RESPECT TO THE REQUEST, RELEASE, AND DISTRIBUTION
19 OF CORD BLOOD UNITS NATIONALLY AND HAS DEVELOPED SUCH SYSTEMS,
20 CONSISTENT WITH THE REGULATIONS PROMULGATED UNDER THE HEALTH
21 INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, PUBLIC LAW
22 104-191, TO TRACK RECIPIENTS' CLINICAL OUTCOMES FOR DISTRIBUTED
23 UNITS.

24 (F) HAS DEVELOPED A SYSTEM FOR EDUCATING THE PUBLIC, INCLUDING
25 PATIENT ADVOCACY ORGANIZATIONS, ABOUT THE BENEFITS OF DONATING AND
26 UTILIZING CORD BLOOD STEM CELLS IN 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.

11 (4) A BOARD OF DIRECTORS SHALL GOVERN AND ADMINISTER THE STATE
12 CORD BLOOD STEM CELL BANK NETWORK. THE BOARD SHALL BE APPOINTED BY
13 THE DIRECTOR AND CONSIST OF MEMBERS WHO REPRESENT EACH OF THE
14 FOLLOWING:

15 (A) CORD BLOOD STEM CELL TRANSPLANT CENTERS.

16 (B) PHYSICIANS FROM PARTICIPATING BIRTHING HOSPITALS.

17 (C) THE CORD BLOOD STEM CELL RESEARCH COMMUNITY.

18 (D) RECIPIENTS OF CORD BLOOD STEM CELL TRANSPLANTS.

19 (E) FAMILY MEMBERS OF A PATIENT OF THE STATEWIDE CORD BLOOD
20 STEM CELL BANK.

21 (F) INDIVIDUALS WITH EXPERTISE IN THE SOCIAL SCIENCES.

22 (G) MEMBERS OF THE GENERAL PUBLIC.

23 (H) NETWORK DONOR BANKS.

24 (5) EXCEPT AS OTHERWISE PROVIDED UNDER THIS SUBSECTION, EACH
25 MEMBER OF THE BOARD SHALL SERVE FOR A 3-YEAR TERM AND MAY BE
26 REAPPOINTED FOR 1 OR MORE ADDITIONAL TERMS. APPOINTMENTS FOR THE
27 INITIAL MEMBERS SHALL BE FOR TERMS OF 1, 2, AND 3 YEARS,

1 RESPECTIVELY, SO AS TO PROVIDE FOR THE SUBSEQUENT APPOINTMENT OF AN
2 EQUAL NUMBER OF MEMBERS EACH YEAR. THE BOARD SHALL ELECT A
3 CHAIRPERSON AND DO EACH OF THE FOLLOWING:

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

6 (B) ENSURE THAT THE STATEWIDE CORD BLOOD STEM CELL BANK
7 NETWORK AND THE BIRTHING HOSPITAL COLLECTION SITES ARE
8 GEOGRAPHICALLY DISTRIBUTED THROUGHOUT THE STATE.

9 (C) ESTABLISH A STATEWIDE CORD BLOOD STEM CELL REGISTRY.

10 (D) COORDINATE THE DONOR BANKS IN THE NETWORK.

11 (6) THE STATEWIDE CORD BLOOD STEM CELL REGISTRY SHALL BE A
12 SYSTEM FOR IDENTIFYING, ACQUIRING, AND DISTRIBUTING DONATED UNITS
13 OF CORD BLOOD THAT ARE SUITABLY MATCHED TO CANDIDATE PATIENTS AND
14 SHALL INCLUDE A DATABASE TO DOCUMENT THE COLLECTION, STORAGE,
15 DISTRIBUTION, AND TRANSPLANTATION OF CORD BLOOD UNITS AND THE
16 CLINICAL OUTCOMES OF ALL TRANSPLANTATIONS RELATED TO THE NETWORK.
17 THE REGISTRY SHALL PROVIDE TRANSPLANT PHYSICIANS AND OTHER
18 APPROPRIATE HEALTH CARE PROFESSIONALS A WEBSITE FUNCTION THAT
19 ENABLES THEM TO SEARCH THE ENTIRE REGISTRY FOR SUITABLE DONOR
20 MATCHES FOR PATIENTS AND TO REQUEST SPECIFIC CORD BLOOD UNITS.

21 (7) AS USED IN THIS SECTION:

22 (A) "CORD BLOOD UNIT" MEANS THE BLOOD COLLECTED FROM A SINGLE
23 PLACENTA AND UMBILICAL CORD.

24 (B) "DONOR" MEANS A MOTHER WHO HAS DELIVERED A BABY AND
25 CONSENTS TO DONATE THE NEWBORN'S BLOOD REMAINING IN THE PLACENTA
26 AND UMBILICAL CORD.

27 (C) "DONOR BANK" MEANS A QUALIFIED CORD BLOOD STEM CELL BANK

1 THAT ENTERS INTO A CONTRACT WITH THE DIRECTOR UNDER SUBSECTION (1).

2 (D) "HUMAN CORD BLOOD STEM CELLS" MEANS HEMATOPOIETIC STEM
3 CELLS AND ANY OTHER STEM CELLS CONTAINED IN THE NEONATAL BLOOD
4 COLLECTED IMMEDIATELY AFTER THE BIRTH FROM THE SEPARATED PLACENTA
5 AND UMBILICAL CORD.

6 (E) "NETWORK" MEANS THE STATEWIDE NETWORK OF QUALIFIED CORD
7 BLOOD STEM CELL BANKS ESTABLISHED UNDER SUBSECTION (1).