

HOUSE BILL 398

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2004 Regular Session
4r1490
CF 4r2138

By: **Delegates Amedori, Frank, King, and Quinter**

Introduced and read first time: January 29, 2004

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals - Umbilical Cord Blood - Donation**

3 FOR the purpose of requiring each hospital to offer pregnant patients the option of
4 donating certain umbilical cord blood to a certain cord blood bank with a certain
5 exception; prohibiting a patient from being charged for the collection, storage, or
6 transportation of donated cord blood; providing that a hospital is not required to
7 collect cord blood from certain patients in certain circumstances; prohibiting the
8 required collection of cord blood by certain hospitals and certain hospital
9 employees directly affiliated with a bona fide religious denomination with
10 certain religious beliefs relating to the transfer of human blood; and generally
11 relating to the donation of umbilical cord blood through hospitals.

12 BY adding to

13 Article - Health - General

14 Section 19-308.7

15 Annotated Code of Maryland

16 (2000 Replacement Volume and 2003 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Health - General**

20 19-308.7.

21 (A) UNLESS IT IS MEDICALLY INADVISABLE, EACH HOSPITAL SHALL OFFER A
22 PREGNANT PATIENT THE OPTION OF DONATING THE BLOOD EXTRACTED FROM THE
23 UMBILICAL CORD OF THE PATIENT'S NEWBORN CHILD TO A CERTIFIED PUBLIC CORD
24 BLOOD BANK.

25 (B) A PATIENT WHO AGREES TO DONATE CORD BLOOD TO A PUBLIC CORD
26 BLOOD BANK MAY NOT BE CHARGED FOR THE COSTS OF COLLECTING, STORING, OR
27 TRANSPORTING THE CORD BLOOD.

1 (C) A HOSPITAL IS NOT REQUIRED TO COLLECT CORD BLOOD IF IN THE
2 PROFESSIONAL JUDGMENT OF A LICENSED PHYSICIAN THE COLLECTION OF THE
3 CORD BLOOD WOULD THREATEN THE HEALTH OF THE MOTHER OR NEWBORN CHILD.

4 (D) ANY HOSPITAL OR ANY HOSPITAL EMPLOYEE, INCLUDING PHYSICIANS,
5 NURSES, AND OTHER MEDICAL STAFF, THAT ARE DIRECTLY AFFILIATED WITH A
6 BONA FIDE RELIGIOUS DENOMINATION, THAT INCLUDES AS AN INTEGRAL PART OF
7 ITS BELIEFS AND PRACTICES THE TENET THAT BLOOD TRANSFER IS CONTRARY TO
8 THE MORAL PRINCIPLES THAT THE DENOMINATION CONSIDERS TO BE AN
9 ESSENTIAL PART OF ITS BELIEFS, MAY NOT BE REQUIRED TO COLLECT CORD BLOOD.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
11 effect October 1, 2004.