

## **Chapter 499**

**(House Bill 983)**

AN ACT concerning

### **Public Health – Cord Blood Transplant Program**

FOR the purpose of establishing the Cord Blood Transplant Program in the Department of Health and Mental Hygiene for certain purposes; establishing the Cord Blood Transplant Center Support Fund; providing for the purpose of the Fund; requiring the Department to administer the Fund; specifying that the Fund is a special, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the fund separately and invest and reinvest money in the Fund in a certain manner; requiring the State Comptroller to account for the Fund; specifying that the Fund consists of certain money, and that investment earnings be paid into the Fund; specifying the purposes for which the Fund may be used; specifying that expenditures from the Fund may be made only in accordance with the State budget; authorizing certain qualified medical institutions to apply for a certain grant from the Fund each year; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to the Cord Blood Transplant Center Support Fund.

BY adding to

Article – Health – General

Section 13–3001 through 13–3004 to be under the new subtitle “Subtitle 30. Cord Blood Transplant Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **Article – Health – General**

#### **SUBTITLE 30. CORD BLOOD TRANSPLANT PROGRAM.**

**13–3001.**

**(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(B) “CORD BLOOD TRANSPLANT CENTER” MEANS A MEDICAL FACILITY THAT USES CELLS OBTAINED FROM A HUMAN UMBILICAL CORD OR PLACENTA**

TO TREAT PEDIATRIC OR ADULT PATIENTS AFFLICTED WITH A DISEASE OR INJURY.

(C) "FUND" MEANS THE CORD BLOOD TRANSPLANT CENTER SUPPORT FUND.

(D) "QUALIFIED MEDICAL INSTITUTION" MEANS A MEDICAL INSTITUTION ACCREDITED BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTH CARE ORGANIZATIONS THAT:

(1) IS LOCATED IN THE STATE; AND

(2) HAS AN ESTABLISHED HEMATOLOGIC MALIGNANCIES RESEARCH PROGRAM.

13-3002.

(A) THERE IS A CORD BLOOD TRANSPLANT PROGRAM IN THE DEPARTMENT.

(B) THE PURPOSE OF THE CORD BLOOD ~~TRANSPORT~~ TRANSPLANT PROGRAM IS TO PROVIDE FUNDING, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, TO QUALIFIED MEDICAL INSTITUTIONS TO ESTABLISH OR MAINTAIN A CORD BLOOD TRANSPLANT CENTER.

13-3003.

(A) THERE IS A CORD BLOOD TRANSPLANT CENTER SUPPORT FUND.

(B) THE PURPOSE OF THE FUND IS TO PROMOTE ECONOMIC DEVELOPMENT BY SUPPORTING CORD BLOOD TRANSPLANT CENTERS AT QUALIFIED MEDICAL INSTITUTIONS WITH A GOAL OF BEING RECOGNIZED AS A REGIONAL CENTER OF EXCELLENCE IN THE AREA OF CORD BLOOD TRANSPLANTATION.

(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(D) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(E) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) BEGINNING IN 2013, ANY MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE FUND MAY BE USED ONLY FOR THE ESTABLISHMENT OF OR SUPPORT FOR A CORD BLOOD TRANSPLANT CENTER AT A QUALIFIED MEDICAL INSTITUTION.

(H) (1) THE STATE TREASURER SHALL INVEST AND REINVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL PAID INTO THE FUND.

(I) (1) THE COMPTROLLER SHALL PAY OUT MONEY FROM THE FUND AS DIRECTED BY THE SECRETARY.

(2) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO:

(I) THE GENERAL FUND OF THE STATE; OR

(II) ANY OTHER SPECIAL FUND OF THE STATE.

(J) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

13-3004.

(A) A QUALIFIED MEDICAL INSTITUTION MAY APPLY FOR A GRANT FROM THE FUND EACH YEAR.

(B) THE DEPARTMENT SHALL ADOPT REGULATIONS TO ADMINISTER THE FUND IN ACCORDANCE WITH THE PURPOSES OF THIS ~~SECTION~~ SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.