

# HOUSE BILL 1481

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By: **Delegates Reilly, Arentz, Beauchamp, Hornberger, McComas, and Rose**

Introduced and read first time: February 13, 2026

Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Tissue Banks and Hospitals – Autologous and Directed Blood Donations**

3 FOR the purpose of prohibiting tissue banks and hospitals from denying a patient a  
4 physician–ordered autologous or directed blood donation under certain  
5 circumstances; authorizing a patient or an individual authorized to make medical  
6 decisions on a patient’s behalf to request an autologous or directed blood donation;  
7 authorizing tissue banks and hospitals to decline a request for a physician–ordered  
8 autologous or directed blood donation only under certain circumstances; and  
9 generally relating to autologous and directed blood donations.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 17–301  
13 Annotated Code of Maryland  
14 (2023 Replacement Volume and 2025 Supplement)

15 BY adding to  
16 Article – Health – General  
17 Section 17–315, 19–301(d–1) and (d–2), and 19–310(c)  
18 Annotated Code of Maryland  
19 (2023 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, without amendments,  
21 Article – Health – General  
22 Section 19–301(a) and 19–310(b)  
23 Annotated Code of Maryland  
24 (2023 Replacement Volume and 2025 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## Article – Health – General

17–301.

(a) In this subtitle the following words have the meanings indicated.

**(B) “AUTOLOGOUS BLOOD DONATION” MEANS A BLOOD DONATION COLLECTED FROM THE PATIENT FOR THE PATIENT’S OWN FUTURE USE DURING OR AFTER A MEDICAL PROCEDURE.**

**(C) “DIRECTED BLOOD DONATION” MEANS A BLOOD DONATION COLLECTED FROM AN INDIVIDUAL OTHER THAN THE PATIENT WHO IS SPECIFICALLY DESIGNATED BY THE PATIENT OR THE PATIENT’S PHYSICIAN FOR USE BY THE PATIENT DURING OR AFTER A MEDICAL PROCEDURE.**

**[(b)] (D)** “Permit” means a permit issued by the Secretary:

(1) To operate a tissue bank in this State; or

(2) To represent or service in this State a tissue bank that is outside this State.

**[(c)] (E)** (1) “Tissue bank” means an establishment that obtains, stores, processes, distributes, or sells human blood or other human tissue for use in the human body.

(2) “Tissue bank” includes a blood bank.

**17–315.**

**(A) THIS SECTION MAY NOT BE CONSTRUED TO:**

**(1) REQUIRE A TISSUE BANK TO ESTABLISH A NEW DONATION PROGRAM;**

**(2) REQUIRE ACCEPTANCE OF BLOOD THAT DOES NOT MEET SAFETY OR REGULATORY STANDARDS;**

**(3) INTERFERE WITH EMERGENCY TRANSFUSION PROTOCOLS; OR**

**(4) ALTER EXISTING SCOPE-OF-PRACTICE LAWS, FEDERAL BLOOD SAFETY REGULATIONS, OR TISSUE BANK LICENSURE REQUIREMENTS.**

**(B) A TISSUE BANK MAY NOT DENY OR PROHIBIT A PHYSICIAN-ORDERED AUTOLOGOUS BLOOD DONATION OR DIRECTED BLOOD DONATION SOLELY ON THE**

1 BASIS OF INTERNAL POLICY IF ALL APPLICABLE SAFETY, TESTING, AND  
2 REGULATORY REQUIREMENTS ARE MET.

3 (C) A TISSUE BANK MAY DECLINE A REQUEST FOR A PHYSICIAN-ORDERED  
4 AUTOLOGOUS BLOOD DONATION OR DIRECTED BLOOD DONATION ONLY IF  
5 COMPLIANCE IS NOT FEASIBLE DUE TO MEDICAL, LOGISTICAL, OR REGULATORY  
6 CONSTRAINTS.

7 (D) DECISIONS REGARDING THE MEDICAL APPROPRIATENESS OF  
8 AUTOLOGOUS BLOOD DONATION OR DIRECTED BLOOD DONATION SHALL BE MADE  
9 BY THE TREATING PHYSICIAN IN CONSULTATION WITH THE PATIENT.

10 (E) EACH TISSUE BANK SHALL PROVIDE EACH PATIENT CLEAR  
11 INFORMATION REGARDING AVAILABLE BLOOD DONATION OPTIONS CONSISTENT  
12 WITH INFORMED CONSENT STANDARDS.

13 19-301.

14 (a) In this subtitle the following words have the meanings indicated.

15 (D-1) "AUTOLOGOUS BLOOD DONATION" MEANS A BLOOD DONATION  
16 COLLECTED FROM THE PATIENT FOR THE PATIENT'S OWN FUTURE USE DURING OR  
17 AFTER A MEDICAL PROCEDURE.

18 (D-2) "DIRECTED BLOOD DONATION" MEANS A BLOOD DONATION COLLECTED  
19 FROM AN INDIVIDUAL OTHER THAN THE PATIENT WHO IS SPECIFICALLY  
20 DESIGNATED BY THE PATIENT OR THE PATIENT'S PHYSICIAN, FOR USE BY THE  
21 PATIENT DURING OR AFTER A MEDICAL PROCEDURE.

22 19-310.

23 (b) (1) Subject to paragraph (2) of this subsection and notwithstanding any  
24 other provision of law, a hospital offering bone marrow transplant services shall allow an  
25 individual to donate bone marrow to any individual.

26 (2) An individual may donate bone marrow to another individual if a  
27 licensed physician determines, based on the physician's medical judgment, that the  
28 donation of the bone marrow is in the best interests of the donee and there is no substantial  
29 risk of medical injury to the donor.

30 (C) (1) THIS SUBSECTION MAY NOT BE CONSTRUED TO:

31 (I) REQUIRE A HOSPITAL TO ESTABLISH A NEW DONATION  
32 PROGRAM;

1                   **(II) REQUIRE ACCEPTANCE OF BLOOD THAT DOES NOT MEET**  
2 **SAFETY OR REGULATORY STANDARDS;**

3                   **(III) INTERFERE WITH EMERGENCY TRANSFUSION PROTOCOLS;**  
4 **OR**

5                   **(IV) ALTER EXISTING SCOPE-OF-PRACTICE LAWS, FEDERAL**  
6 **BLOOD SAFETY REGULATIONS, OR HOSPITAL LICENSURE REQUIREMENTS.**

7                   **(2) A PATIENT RECEIVING A MEDICAL PROCEDURE, OR AN**  
8 **INDIVIDUAL AUTHORIZED BY THE PATIENT TO MAKE MEDICAL DECISIONS ON THE**  
9 **PATIENT'S BEHALF, MAY REQUEST AUTOLOGOUS BLOOD DONATION OR DIRECTED**  
10 **BLOOD DONATION FOR A PLANNED MEDICAL PROCEDURE IF AN AUTOLOGOUS**  
11 **BLOOD DONATION OR DIRECTED BLOOD DONATION IS ORDERED BY THE PATIENT'S**  
12 **TREATING PHYSICIAN AND IS MEDICALLY APPROPRIATE.**

13                   **(3) A HOSPITAL MAY NOT DENY OR PROHIBIT A PHYSICIAN-ORDERED**  
14 **AUTOLOGOUS BLOOD DONATION OR DIRECTED BLOOD DONATION SOLELY ON THE**  
15 **BASIS OF INTERNAL POLICY IF ALL APPLICABLE SAFETY, TESTING, AND**  
16 **REGULATORY REQUIREMENTS ARE MET.**

17                   **(4) A HOSPITAL MAY DECLINE A REQUEST FOR A**  
18 **PHYSICIAN-ORDERED AUTOLOGOUS OR DIRECTED BLOOD DONATION ONLY IF**  
19 **COMPLIANCE IS NOT FEASIBLE DUE TO MEDICAL, LOGISTICAL, OR REGULATORY**  
20 **CONSTRAINTS.**

21                   **(5) DECISIONS REGARDING THE MEDICAL APPROPRIATENESS OF**  
22 **AUTOLOGOUS OR DIRECTED BLOOD DONATION SHALL BE MADE BY THE TREATING**  
23 **PHYSICIAN IN CONSULTATION WITH THE PATIENT.**

24                   **(6) EACH HOSPITAL SHALL PROVIDE EACH PATIENT CLEAR**  
25 **INFORMATION REGARDING AVAILABLE BLOOD DONATION OPTIONS CONSISTENT**  
26 **WITH INFORMED CONSENT STANDARDS.**

27                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2026.