

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1481
Health

(Delegate Reilly, *et al.*)

Tissue Banks and Hospitals - Autologous and Directed Blood Donations

This bill prohibits a tissue bank or a hospital from denying or prohibiting a physician-ordered “autologous blood donation” or “directed blood donation” solely on the basis of internal policy if all applicable safety, testing, and regulatory requirements are met. A tissue bank or a hospital may decline a request for a physician-ordered autologous or directed blood donation only if compliance is not feasible due to medical, logistical, or regulatory constraints. Decisions regarding the medical appropriateness of autologous or directed blood donations must be made by the treating physician in consultation with the patient. Each tissue bank and hospital must provide each patient with clear information regarding available blood donation options consistent with informed consent standards. The bill may not be construed to (1) require a tissue bank or hospital 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 or hospital licensure requirements.

Fiscal Summary

State Effect: The change is technical in nature and does not directly affect governmental finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: “Autologous blood donation” means a blood donation collected from a patient for the patient’s own future use during or after a medical procedure. “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.

A patient receiving a medical procedure, or an individual authorized by the patient to make medical decisions on the patient's behalf, may request autologous blood donation or directed blood donation for a planned medical procedure if an autologous blood donation or directed blood donation is ordered by the patient's treating physician and is medically appropriate.

Current Law:

Tissue Banks

A tissue bank is an establishment (including a blood bank) that obtains, stores, processes, distributes, or sells human blood or other human tissue for use in the human body. The Office of Health Care Quality (OHCQ) permits and regulates tissue banks that provide services to Maryland residents. As of February 28, 2026, OHCQ regulates 156 tissue banks within Maryland and 403 tissue banks outside of the State.

Hospitals

“Hospital” means an institution that (1) has a group of at least five physicians who are organized as medical staff for the institution; (2) maintains facilities to provide, under the supervision of medical staff, diagnostic and treatment services for two or more unrelated individuals; and (3) admits or retains the individuals for overnight care.

A hospital offering bone marrow transplant services must allow an individual to donate bone marrow to any individual. An individual may donate bone marrow to another individual if a licensed physician determines, based on the physician's medical judgement, that the donation of the bone marrow is in the best interests of the recipient and there is no substantial risk of medical injury to the donor.

Blood Donation Regulation

In general, the U.S. Food and Drug Administration (FDA) is responsible for ensuring the safety of donated blood, which can be further processed into blood components, such as red blood cells, platelets, and plasma. FDA oversight of the blood industry includes regulations and guidance regarding blood donor eligibility and donation testing to protect the health of both the donor and the recipient, with a focus on minimizing the risk of transmitting infectious diseases while maintaining an adequate supply of blood.

In Maryland, notwithstanding any other provision of law, a minor who is at least 17 years old, without the consent of a parent or legal guardian, may give blood for a program that (1) is voluntary; (2) does not pay money for the blood; and (3) is approved by the American Association of Blood Banks or the American Red Cross. Notwithstanding any other provision of law, a minor who is at least 16 years old, and has obtained the consent of a parent or legal guardian, may give blood to the aforementioned programs.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1456 of 2025.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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