

2702

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. FITZPATRICK, FINCH -- Multi-Sponsored by -- M. of
A. CALHOUN, CROUCH, GIGLIO, KOLB, McKEVITT, QUINN, RAIA, THIELE, TOWN-
SEND, WALKER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to promotion of
public umbilical cord blood banking

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The public health law is amended by adding a new article
2 43-D to read as follows:

3 ARTICLE 43-D

4 PUBLIC UMBILICAL CORD BLOOD BANKING

5 SECTION 4372. PUBLIC UMBILICAL CORD BLOOD BANKING PROGRAM.

6 S 4372. PUBLIC UMBILICAL CORD BLOOD BANKING PROGRAM. 1. THE PUBLIC
7 UMBILICAL CORD BLOOD BANKING PROGRAM IS HEREBY ESTABLISHED WITHIN THE
8 DEPARTMENT TO PROMOTE PUBLIC AWARENESS OF THE POTENTIAL BENEFITS OF
9 PUBLIC UMBILICAL CORD BLOOD BANKING, TO PROMOTE RESEARCH INTO THE USES
10 OF UMBILICAL CORD BLOOD, AND TO FACILITATE PRE-DELIVERY ARRANGEMENTS FOR
11 PUBLIC BANKING OF UMBILICAL CORD BLOOD DONATIONS.

12 2. THE DEPARTMENT SHALL:

13 (A) DEVELOP A PUBLIC EDUCATION AND OUTREACH CAMPAIGN, VIA WRITTEN
14 MATERIALS, BROCHURES, THE INTERNET, AND PUBLIC SERVICE ANNOUNCEMENTS TO
15 PROMOTE PUBLIC UMBILICAL CORD BLOOD BANKING AWARENESS AND EDUCATION OF
16 THE GENERAL PUBLIC AND POTENTIAL UMBILICAL CORD BLOOD DONORS OF THE
17 BENEFITS OF PUBLIC UMBILICAL CORD BLOOD BANKING;

18 (B) DEVELOP EDUCATIONAL MATERIALS AND BROCHURES WHICH SHALL BE MADE
19 AVAILABLE TO THE GENERAL PUBLIC AND POTENTIAL UMBILICAL CORD BLOOD
20 DONORS THROUGH LOCAL DEPARTMENTS OF HEALTH; HEALTH CARE PRACTITIONERS,
21 INCLUDING OBSTETRICIANS, GYNECOLOGISTS, PEDIATRICIANS, AND MIDWIVES;
22 HEALTH MAINTENANCE ORGANIZATIONS; HOSPITALS; CLINICS, WALK-IN MEDICAL

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 CENTERS, MOBILE CARE UNITS, SURGI-CENTERS, AND URGENT CARE CENTERS; AND
2 CLINICS AND ORGANIZATIONS SERVING PREGNANT WOMEN;

3 (C) COORDINATE AND PROMOTE PROFESSIONAL EDUCATION PROGRAMS FOR HEALTH
4 CARE PROVIDERS ON THE BENEFITS OF PUBLIC UMBILICAL CORD BLOOD BANKING;

5 (D) PROMOTE RESEARCH, THROUGH PUBLIC AND PRIVATE FUNDING SOURCES, IN
6 THE POTENTIAL BENEFITS OF UMBILICAL CORD BLOOD AS AN ALTERNATIVE TO
7 TISSUE TRANSPLANTATION AND AS A SOURCE OF STEM CELLS IN THE TREATMENT OF
8 DISEASE;

9 (E) DEVELOP CRITERIA, PURSUANT TO REGULATION, REGARDING THE APPROPRI-
10 ATE COLLECTION AND STORAGE OF UMBILICAL CORD BLOOD FOR PUBLIC BANKING;
11 THE IDENTIFICATION OF BLOOD BANKS AND THE AREA SERVED BY EACH SUCH BLOOD
12 BANK; THE ADEQUACY OF SAFEGUARDS IN PLACE AT SUCH BLOOD BANKS TO ENSURE
13 THE SAFE COLLECTION AND STORAGE OF UMBILICAL CORD BLOOD; AND PROVISIONS
14 FOR ARRANGEMENTS BETWEEN SUCH BLOOD BANKS AND HOSPITALS, INCLUDING
15 CERTIFICATION OF BLOOD BANK PERSONNEL, DESIGNATION OF RESPONSIBILITIES
16 AND LIABILITIES BETWEEN SUCH BLOOD BANK PERSONNEL AND HOSPITAL PERSON-
17 NEL; AND ANY OTHER PROVISIONS NECESSARY TO ENSURE THE SAFETY OF THE
18 MOTHER, HER CHILD, ANY SUCH PERSONNEL IN ATTENDANCE AT THE DELIVERY
19 AND/OR THE UMBILICAL CORD BLOOD COLLECTION SITE, AND THE STORED UMBILI-
20 CAL CORD BLOOD; AND

21 (F) ESTABLISH A STATEWIDE TOLL-FREE TELEPHONE NUMBER TO RECEIVE
22 REQUESTS FOR INFORMATION AND TO DIRECT POTENTIAL UMBILICAL CORD BLOOD
23 DONORS TO AVAILABLE PUBLIC UMBILICAL CORD BLOOD BANKS SERVING THE AREA
24 IN WHICH SUCH POTENTIAL DONOR RESIDES OR IS PLANNING TO DELIVER.

25 3. THE COMMISSIONER SHALL ACCEPT AND EXPEND ANY GRANTS, AWARDS, OR
26 OTHER FUNDS OR APPROPRIATIONS AS MAY BE MADE AVAILABLE FOR THE PURPOSES
27 OF THIS ARTICLE, SUBJECT TO LIMITATIONS AS TO THE APPROVAL OF EXPENDI-
28 TURES AND AUDIT AS PRESCRIBED FOR STATE FUNDS BY THE STATE FINANCE LAW.

29 S 2. This act shall take effect on the one hundred eightieth day after
30 it shall have become a law; provided, however, that effective immediate-
31 ly, the addition, amendment and/or repeal of any rule or regulation
32 necessary for the implementation of this act on its effective date are
33 authorized and directed to be made and completed on or before such
34 effective date.