S T A T E O F N E W Y O R K

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, TOWNSEND, 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 ASSEMBLY, DO ENACT AS FOLLOWS:

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

ARTICLE 43-D

PUBLIC UMBILICAL CORD BLOOD BANKING

SECTION 4372. PUBLIC UMBILICAL CORD BLOOD BANKING PROGRAM.

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

2. THE DEPARTMENT SHALL:

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

(B) DEVELOP EDUCATIONAL MATERIALS AND BROCHURES WHICH SHALL BE MADE AVAILABLE TO THE GENERAL PUBLIC AND POTENTIAL UMBILICAL CORD BLOOD DONORS THROUGH LOCAL DEPARTMENTS OF HEALTH; HEALTH CARE PRACTITIONERS, INCLUDING OBSTETRICIANS, GYNECOLOGISTS, PEDIATRICIANS, AND MIDWIVES; 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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CENTERS, MOBILE CARE UNITS, SURGI-CENTERS, AND URGENT CARE CENTERS; AND CLINICS AND ORGANIZATIONS SERVING PREGNANT WOMEN;

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

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

(E) DEVELOP CRITERIA, PURSUANT TO REGULATION, REGARDING THE APPROPRIATE COLLECTION AND STORAGE OF UMBILICAL CORD BLOOD FOR PUBLIC BANKING; THE IDENTIFICATION OF BLOOD BANKS AND THE AREA SERVED BY EACH SUCH BLOOD BANK; THE ADEQUACY OF SAFEGUARDS IN PLACE AT SUCH BLOOD BANKS TO ENSURE THE SAFE COLLECTION AND STORAGE OF UMBILICAL CORD BLOOD; AND PROVISIONS FOR ARRANGEMENTS BETWEEN SUCH BLOOD BANKS AND HOSPITALS, INCLUDING CERTIFICATION OF BLOOD BANK PERSONNEL, DESIGNATION OF RESPONSIBILITIES AND LIABILITIES BETWEEN SUCH BLOOD BANK PERSONNEL AND HOSPITAL PERSONNEL; AND ANY OTHER PROVISIONS NECESSARY TO ENSURE THE SAFETY OF THE MOTHER, HER CHILD, ANY SUCH PERSONNEL IN ATTENDANCE AT THE DELIVERY AND/OR THE UMBILICAL CORD BLOOD COLLECTION SITE, AND THE STORED UMBILICAL CORD BLOOD; AND

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

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

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