

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1331

Short Title: Educate the Public About Cord Blood Banking. (Public)

Sponsors: Representatives Dickson; Faison, Glazier, Jones, and Lucas.

Referred to: Science and Technology, if favorable, Health.

April 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3 MAKE AVAILABLE TO THE PUBLIC, AND TO ENCOURAGE HEALTH CARE
4 PROFESSIONALS TO MAKE AVAILABLE TO PREGNANT PATIENTS,
5 EDUCATIONAL INFORMATION REGARDING UMBILICAL CORD STEM CELLS
6 AND UMBILICAL CORD BLOOD BANKING.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Part 2 of Article 5 of Chapter 130A of the General Statutes is
9 amended by adding a new section to read:

10 "**§ 130A-128A. Department to provide free educational information about umbilical cord**
11 **stem cells and umbilical cord blood banking.**

12 (a) As used in this section:

13 (1) Health care professional. – A person who is licensed pursuant to Chapter 90
14 of the General Statutes to practice as a physician, physician assistant, or
15 registered nurse or who is approved pursuant to Chapter 90 of the General
16 Statutes to practice midwifery.

17 (2) Umbilical cord blood. – The blood that remains in the umbilical cord and
18 placenta after the birth of a newborn child.

19 (b) Effective January 1, 2010, the Department of Health and Human Services shall
20 make available free of charge to the general public on its Internet Web site printable
21 publications, in a format that can be downloaded, containing medically accurate information
22 regarding umbilical cord stem cells and umbilical cord blood banking that is sufficient to allow
23 a pregnant woman to make an informed decision about whether to participate in a public or
24 private umbilical cord blood banking program. The publications shall include at least all of the
25 following information:

26 (1) An explanation of the medical processes involved in the collection of
27 umbilical cord blood.

28 (2) An explanation of any risks associated with umbilical cord blood collection
29 to the mother and the newborn child.

30 (3) The options available to a mother regarding stem cells contained in the
31 umbilical cord blood after delivery of the mother's newborn child, including:

32 a. Having the stem cells discarded.

33 b. Donating the stem cells to a public umbilical cord blood bank.

34 c. Storing the stem cells in a private umbilical cord blood bank for use
35 by immediate and extended family members.

36 d. Storing the stem cells for use by the family through a family or
37 sibling donor banking program that provides free collection,



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1 processing, and storage of the stem cells where there is a medical
2 need.

3 (4) The current and potential future medical uses, risks, and benefits of
4 umbilical cord blood collection to (i) the mother, newborn child, and
5 biological family and (ii) individuals who are not biologically related to the
6 mother or newborn child.

7 (5) An explanation of the differences between public and private umbilical cord
8 blood banking.

9 (6) Options for ownership and future use of the donated umbilical cord blood.

10 (c) The Department may satisfy the requirements of subsection (b) of this section by
11 including on its Internet Web site a link to a federally sponsored Internet Web site that North
12 Carolina citizens may access so long as the federally sponsored Internet Web site contains all
13 of the information specified in subdivisions (1) through (6) of subsection (b) of this section.

14 (d) The Department shall encourage health care professionals who provide health care
15 services that are directly related to a woman's pregnancy to provide each woman with the
16 publications described in subsection (b) of this section prior to the woman's third trimester of
17 pregnancy.

18 (e) A health care professional or health care institution shall not be liable for damages
19 in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary
20 action by the North Carolina Medical Board or the North Carolina Board of Nursing for acting
21 in good faith with respect to informing a pregnant woman prior to her third trimester of
22 pregnancy about the publications described in subsection (b) of this section."

23 **SECTION 2.** This act is effective when it becomes law.