

HB 1268.E - DIGEST

(AS OF HOUSE 2ND READING 3/15/05)

Finds that several states have supported policies and institutions in partnership with the biomedical research industry to promote and advance embryonic stem cell research. Washington state must demonstrate a similar commitment to these initiatives in order to reaffirm itself as a leader in this area of biomedical research.

Declares that stem cell research, including the use of embryonic stem cells for medical research, raises significant ethical concerns that must be balanced with medical considerations.

Finds that, while therapeutic cloning stem cell research holds enormous potential for treating or even curing some diseases, the reproductive cloning of human beings is morally and ethically unacceptable. Furthermore, the reproductive cloning of human beings poses grave health risks to any child who may be produced in this manner.

Declares that any attempt to clone a human being is in direct conflict with the policies of this state.

Creates the human stem cell research advisory committee.

Directs the advisory committee to develop guidelines for research involving the derivation or use of human embryonic stem cells in Washington by January 1, 2006.

Provides that a health care provider delivering fertility treatment must provide his or her patient with timely, relevant, and appropriate information to allow the patient to make an informed and voluntary choice about the disposition of any human blastocysts remaining following the fertility treatment.

Provides that any person to whom information is provided pursuant to this act must be presented with the option of storing any unused blastocysts, donating unused blastocysts to another individual, discarding unused blastocysts, or donating unused blastocysts for research.

Declares that no person may knowingly engage or assist in reproductive cloning of a human being or attempting reproductive cloning of a human being.

Authorizes the attorney general to bring an action to enjoin any person from violating this restriction.

Provides that any person who violates this act is subject to a civil penalty not to exceed one hundred thousand dollars for each violation. Civil penalties authorized by this provision may be imposed in any civil action brought by the attorney general.

Declares that nothing in this provision shall be construed to restrict areas of biomedical, agricultural, and scientific research not specifically prohibited by this provision, including somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues.

Provides that a person may donate human embryonic tissue or human cadaveric fetal tissue for research purposes.

Provides that a person may not knowingly, for valuable consideration, purchase or sell human embryonic tissue or human cadaveric fetal tissue for research purposes.

Declares that a person who violates this act is guilty of a class B felony and upon conviction is subject to a fine not to exceed twenty thousand dollars or imprisonment not to exceed ten years.

Provides that no person may use human eggs or human sperm that have been donated for purposes of assisted reproduction as defined in chapter 26.26 RCW, to create human embryonic stem cells for use in research, without the written consent of the donor to use the eggs or sperm for research purposes after receiving the information specified in this act.