

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2431

60th Legislature
2008 Regular Session

Passed by the House February 12, 2008
Yeas 95 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 6, 2008
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2431** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2431

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Morris, Hudgins, Santos, and Chase)

READ FIRST TIME 02/04/08.

1 AN ACT Relating to cord blood banking; amending RCW 70.54.220;
2 adding a new section to chapter 70.54 RCW; creating a new section; and
3 providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The purpose of this act is to promote public
6 awareness and education of the general public and potential cord blood
7 donors on the benefits of public or private cord blood banking, and to
8 establish safeguards related to effective private banking of cord
9 blood.

10 **Sec. 2.** RCW 70.54.220 and 1988 c 276 s 5 are each amended to read
11 as follows:

12 (1) All persons licensed or certified by the state of Washington to
13 provide prenatal care or to practice medicine shall provide information
14 to all pregnant women in their care regarding:

15 (a) The use and availability of prenatal tests ((to all pregnant
16 women in their care)); and

17 (b) Using objective and standardized information: (i) The
18 differences between and potential benefits and risks involved in public

1 and private cord blood banking that is sufficient to allow a pregnant
2 woman to make an informed decision before her third trimester of
3 pregnancy on whether to participate in a private or public cord blood
4 banking program; and (ii) the opportunity to donate, to a public cord
5 blood bank, blood and tissue extracted from the placenta and umbilical
6 cord following delivery of a newborn child.

7 (2) The information required by this section must be provided
8 within the time limits prescribed by department rules and in accordance
9 with standards established by those rules.

10 NEW SECTION. Sec. 3. A new section is added to chapter 70.54 RCW
11 to read as follows:

12 (1) A cord blood bank advertising, offering to provide, or
13 providing private cord blood banking services to residents in this
14 state must:

15 (a) Have all applicable licenses, accreditations, and other
16 authorizations required under federal and Washington state law to
17 engage in cord blood banking;

18 (b) Include, in any advertising or educational materials made
19 available to the general public or provided to health services
20 providers or potential cord blood donors: (i) A statement identifying
21 the cord blood bank's licenses, accreditations, and other
22 authorizations required in (a) of this subsection; and (ii) information
23 about the cord blood bank's rate of success in collecting, processing,
24 and storing sterile cord blood units that have adequate, viable yields
25 of targeted cells; and

26 (c)(i) Provide to the cord blood donor the results of appropriate
27 quality control tests performed on the donor's collected cord blood;
28 and

29 (ii) If the test results provided under (c)(i) of this subsection
30 demonstrate that the collected cord blood may not be recommended for
31 long-term storage and potential future medical uses because of low cell
32 yield, foreign contamination, or other reasons determined by the cord
33 blood bank's medical director, provide the cord blood donor with the
34 option not to be charged fees for processing or storage services,
35 including a refund of any fees paid. The cord blood bank must provide
36 the cord blood donor with sufficient information to make an informed
37 decision regarding this option.

1 (2) The legislature finds that the practices covered by this
2 section are matters vitally affecting the public interest for the
3 purpose of applying the consumer protection act, chapter 19.86 RCW. A
4 violation of this section is not reasonable in relation to the
5 development and preservation of business and is an unfair or deceptive
6 act in trade or commerce and an unfair method of competition for the
7 purpose of applying the consumer protection act, chapter 19.86 RCW.

8 (3) The definitions in this subsection apply throughout this
9 section unless the context clearly requires otherwise.

10 (a) "Autologous use" means the transplantation, including
11 implanting, transplanting, infusion, or transfer, of cord blood into
12 the individual from whom the cord blood was collected.

13 (b) "Cord blood bank" means an operation engaged in collecting,
14 processing, storing, distributing, or transplanting hematopoietic
15 progenitor cells present in placental or umbilical cord blood.

16 (c) "Hematopoietic progenitor cells" means pluripotential cells
17 that may be capable of self-renewal and differentiation into any mature
18 blood cell.

19 (d) "Private cord blood banking" means a cord blood bank that
20 provides, for a fee, cord blood banking services for the autologous use
21 of the cord blood.

22 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2010.

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