

As Introduced

**127th General Assembly
Regular Session
2007-2008**

H. B. No. 237

Representative Book

**Cosponsors: Representatives Ujvagi, Hagan, R., Brady, Dodd, Seitz,
Strahorn, Schneider, Collier, Sayre, Koziura**

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A B I L L

To enact sections 2108.40 to 2108.42 of the Revised Code regarding umbilical cord blood donations. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2108.40, 2108.41, and 2108.42 of the Revised Code be enacted to read as follows: 3
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Sec. 2108.40. (A) As used in this section and sections 2108.41 and 2108.42 of the Revised Code: 5
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(1) "Health care institution" means a hospital registered as such under section 3701.07 of the Revised Code or a freestanding birthing center. 7
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(2) "Health care professional" means a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery; a registered nurse, including a certified nurse-midwife, authorized to practice under Chapter 4723. of the Revised Code; or a physician assistant authorized to practice under Chapter 4130. of the Revised Code. 10
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(3) "Maternal care professional" means an individual who is not authorized by the Revised Code to practice as a health care professional but whose profession includes providing support and 16
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assistance to a woman during pregnancy and labor. 19

(4) "Umbilical cord blood" means the blood that remains in 20
the umbilical cord and placenta after the birth of a newborn 21
child. 22

(B) The department of health shall encourage health and 23
maternal care professionals who provide health care services that 24
are directly related to a woman's pregnancy to provide a woman 25
before her third trimester of pregnancy with the materials 26
described in section 2108.41 of the Revised Code. 27

Sec. 2108.41. (A) The department of health shall prepare and 28
distribute to health and maternal care professionals written 29
materials that contain standardized, objective information about 30
umbilical cord blood banking that is sufficient to allow a 31
pregnant woman to make an informed decision about whether to 32
participate in an umbilical cord blood banking program. The 33
materials shall include all of the following information: 34

(1) The medical processes involved in the collection of 35
umbilical cord blood; 36

(2) The medical risks of umbilical cord blood collection to 37
the mother and the newborn child; 38

(3) The options available to a mother regarding stem cells 39
contained in the umbilical cord blood after delivery of the 40
mother's newborn child, including: 41

(a) Having the stem cells discarded; 42

(b) Donating the stem cells to a public umbilical cord blood 43
bank; 44

(c) Having the stem cells stored in a private umbilical cord 45
blood bank for use by immediate and extended family members; 46

(d) Storing the stem cells for use by the family through a 47

family or sibling donor banking program that provides free 48
collection, processing, and storage of the stem cells where there 49
is a medical need. 50

(4) The current and potential future medical uses, risks, and 51
benefits of umbilical cord blood collection to the mother, newborn 52
child, and biological family; 53

(5) The current and potential future medical uses, risks, and 54
benefits of umbilical cord blood collection to individuals who are 55
not biologically related to the mother or newborn child; 56

(6) Any costs that may be incurred by a pregnant woman who 57
chooses to make an umbilical cord blood donation; 58

(7) The average cost of public and private umbilical cord 59
blood banking. 60

(B) The department may update the materials prepared pursuant 61
to this section as it considers necessary. 62

(C) The department shall distribute the materials free of 63
charge to health and maternal care professionals and health care 64
institutions and shall make the materials available on its web 65
site. 66

(D) The department may accept gifts, grants, and donations 67
for the purposes of this section. 68

Sec. 2108.42. A health or maternal care professional or 69
health care institution is not liable for damages in a civil 70
action, subject to prosecution in a criminal proceeding, or 71
subject to disciplinary action by the state medical board or board 72
of nursing for acting in good faith pursuant to section 2108.40 of 73
the Revised Code. 74