

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 778

Introduced by Coash, 27; Cornett, 45; Fulton, 29.

Read first time January 07, 2010

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to public health and welfare; to adopt the
- 2 Umbilical Cord Blood Information Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. This act shall be known and may be cited as
2 the Umbilical Cord Blood Information Act.

3 Sec. 2. For purposes of the Umbilical Cord Blood
4 Information Act:

5 (1) Division means the Division of Public Health of the
6 Department of Health and Human Services;

7 (2) Health care practitioner means a physician,
8 registered nurse, certified nurse midwife, or physician assistant
9 credentialed pursuant to the Uniform Credentialing Act;

10 (3) Hospital means a hospital licensed pursuant to the
11 Health Care Facility Licensure Act; and

12 (4) Umbilical cord blood means the blood that remains in
13 the umbilical cord and placenta after the birth of a newborn child.

14 Sec. 3. The division shall encourage health care
15 practitioners who provide health care services that are directly
16 related to a woman's pregnancy to provide a woman before her third
17 trimester of pregnancy with the publications described in section
18 4 of this act.

19 Sec. 4. The Department of Health and Human Services shall
20 make available on its Internet web site a printable publication
21 for health care practitioners to download and print containing
22 standardized, objective information about umbilical cord blood
23 banking that is sufficient to allow a pregnant woman to make an
24 informed decision about whether to participate in an umbilical cord
25 blood banking program. The division shall develop and update the

1 publication as necessary. The publication shall include, but not be
2 limited to, the following information:

3 (1) The medical processes involved in the collection of
4 umbilical cord blood;

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

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

10 (a) Having the stem cells discarded;

11 (b) Donating the stem cells to a public umbilical cord
12 blood bank;

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

16 (d) Storing the stem cells for use by the family through
17 a family or sibling donor banking program that provides free
18 collection, processing, and storage of the stem cells where there
19 is a medical need;

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

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

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

3 (7) The average cost of public and private umbilical cord
4 blood banking.

5 Sec. 5. A health care practitioner or hospital is not
6 liable for damages in a civil action, subject to prosecution in a
7 criminal proceeding, or subject to disciplinary action under the
8 Uniform Credentialing Act or the Health Care Facility Licensure
9 Act for acting in good faith pursuant to the Umbilical Cord Blood
10 Information Act.