

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 951

Introduced by Kopplin, 3.

Read first time January 14, 2008

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to umbilical cord blood; to state intent; to
2 define terms; to provide for pamphlets; and to provide
3 duties for the Department of Health and Human Services
4 and physicians.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds that it is the public
2 policy of this state to promote public awareness of the potential
3 benefits of public or private umbilical cord blood banking and to
4 encourage the donation, collection, and storage of umbilical cord
5 blood for medical treatment and research.

6 Sec. 2. For purposes of sections 1 to 10 of this act, the
7 definitions found in sections 3 to 7 apply.

8 Sec. 3. Cord blood banking means the storage and
9 preservation, in a facility licensed or approved for the storage of
10 such material, of umbilical cord blood obtained immediately after
11 birth from the placenta and umbilical cord.

12 Sec. 4. Placenta means a temporary organ joining mother
13 and unborn child during pregnancy that transfers oxygen and
14 nutrients from the mother to the unborn child and permits the
15 release of carbon dioxide and waste products from the unborn child.

16 Sec. 5. Stem cells means hematopoietic stem cells and any
17 other stem cells contained in the umbilical cord blood collected
18 immediately after birth.

19 Sec. 6. Umbilical cord means the connecting stalk between
20 an unborn child and the placenta that at birth consists primarily
21 of mucoid connecting tissue in which blood vessels are embedded.

22 Sec. 7. Umbilical cord blood means blood that remains in
23 the umbilical cord and placenta after birth of a child.

24 Sec. 8. The Department of Health and Human Services
25 shall, by January 1, 2009, prepare information in the form of

1 a pamphlet or brochure containing objective information about
2 cord blood banking that is sufficient to allow a pregnant woman
3 to make an informed decision about whether to participate in a
4 public or private cord blood banking program. In addition to any
5 other information the department deems pertinent, the pamphlet or
6 brochure shall include the following:

7 (1) The medical processes involved in the collection of
8 umbilical cord blood;

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

11 (3) The current and potential future medical uses, risks,
12 and benefits of collection of umbilical cord blood to the mother,
13 the newborn child, and their biological family;

14 (4) The current and potential future medical uses, risks,
15 and benefits of collection of umbilical cord blood to persons who
16 are not biologically related to the mother or the newborn child;

17 (5) Medical or family history criteria that can impact a
18 family's consideration of cord blood banking;

19 (6) Any costs that may be incurred by a pregnant woman
20 who chooses to make a donation of umbilical cord blood;

21 (7) The average costs of public and private cord blood
22 banking;

23 (8) The options available to the mother, after the
24 delivery of the newborn child, relating to stem cells contained
25 in the umbilical cord blood, including (a) donating to a public

1 cord blood bank, (b) storing in a private cord blood bank, and (c)
2 discarding the umbilical cord blood;

3 (9) The difference between public and private cord blood
4 banks;

5 (10) Options for ownership and future use of the donated
6 material; and

7 (11) The location of public and private cord blood banks
8 in the state and in states bordering Nebraska.

9 The department shall distribute such pamphlets or
10 brochures free of charge to physicians and hospitals and make them
11 available electronically on the department's Internet web site.

12 Sec. 9. In developing the publication required under
13 section 8 of this act, the Department of Health and Human Services
14 shall consult with an appropriate organization of physicians
15 licensed to practice medicine in the State of Nebraska. The
16 department shall update the information as appropriate but in no
17 case later than two years after the original date of publication
18 and every two years thereafter.

19 Sec. 10. Beginning January 1, 2009, a physician who has
20 in his or her care a patient who is in her second trimester
21 of pregnancy shall inform the patient of her options regarding
22 umbilical cord blood. A physician satisfies the requirements of
23 this section by providing the information set forth in section 8 of
24 this act either verbally, in writing, or by providing the patient
25 with the publication prepared by the Department of Health and Human

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1 Services.