
By: **Senators Jacobs, Colburn, Greenip, Hafer, Haines, Harris, Hooper,
Lawlah, Mooney, Munson, Stoltzfus, and Stone**

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Assigned to: Education, Health, and Environmental Affairs

Reassigned: Finance, January 25, 2006

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2006

CHAPTER _____

1 AN ACT concerning

2 **Hospitals Department of Health and Mental Hygiene - Umbilical Cord Blood**
3 **- Blood Donation - Educational Materials**

4 ~~FOR the purpose of requiring each hospital to offer pregnant patients the option of~~
5 ~~donating certain umbilical cord blood to a certain cord blood bank with a certain~~
6 ~~exception; prohibiting the requirement for collection of cord blood by certain~~
7 ~~hospitals and certain hospital employees directly affiliated with a bona fide~~
8 ~~religious denomination with certain religious beliefs relating to the transfer of~~
9 ~~human blood~~ the Department of Health and Mental Hygiene, in consultation
10 with certain entities, to develop educational materials concerning the donation
11 of umbilical cord blood; requiring certain obstetricians and hospitals to
12 distribute certain educational materials to certain patients; and generally
13 relating to the distribution of educational materials concerning the donation of
14 umbilical cord blood through hospitals.

15 BY repealing and reenacting, with amendments,
16 Article - Health - General
17 Section 19-308.7
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2005 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Health - General

2 19-308.7.

3 (a) Unless it is medically inadvisable, each hospital shall ~~{allow}~~ OFFER a
4 pregnant patient ~~{to arrange for the donation of}~~ THE OPTION OF DONATING the
5 blood extracted from the umbilical cord of the patient's newborn child to a certified
6 public cord blood bank.

7 (b) A patient who agrees to donate cord blood to a public cord blood bank may
8 not be charged for the costs of collecting, storing, or transporting the cord blood.

9 (c) A hospital is not required to collect cord blood if in the professional
10 judgment of a licensed physician the collection of the cord blood would threaten the
11 health of the mother or newborn child.

12 ~~{A} ANY~~ hospital or hospital employee, including a physician, nurse, or
13 other medical staff, ~~THAT IS DIRECTLY AFFILIATED WITH A BONA FIDE RELIGIOUS~~
14 ~~DENOMINATION THAT INCLUDES, AS AN INTEGRAL PART OF ITS BELIEFS AND~~
15 ~~PRACTICES, THE TENET THAT BLOOD TRANSFER IS CONTRARY TO THE MORAL~~
16 ~~PRINCIPLES THAT THE DENOMINATION CONSIDERS TO BE AN ESSENTIAL PART OF~~
17 ~~ITS BELIEFS~~ may not be required to collect cord blood ~~{if the collection of cord blood~~
18 ~~conflicts with the bona fide religious practices and beliefs of the hospital or hospital~~
19 ~~employee}~~.

20 ~~{e}~~ This section may not be construed to require a hospital to arrange for the
21 donation of blood extracted from umbilical cords.

22 (F) (1) THE DEPARTMENT, IN CONSULTATION WITH OBSTETRICIANS, THE
23 MARYLAND HOSPITAL ASSOCIATION, AND INTERESTED GROUPS, SHALL DEVELOP
24 EDUCATIONAL MATERIALS CONCERNING THE VALUES, USES, AND DONATION OF
25 UMBILICAL CORD BLOOD FOR THE PURPOSES OF PARAGRAPH (2) OF THIS
26 SUBSECTION.

27 (2) EACH OBSTETRICIAN AND HOSPITAL THAT PROVIDES OBSTETRICAL
28 SERVICES SHALL DISTRIBUTE THE EDUCATIONAL MATERIALS DESCRIBED IN
29 PARAGRAPH (1) OF THIS SUBSECTION TO PREGNANT PATIENTS.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2006.

