
HOUSE BILL 2431

State of Washington 60th Legislature 2008 Regular Session

By Representatives Morris, Hudgins, Santos, and Chase

Prefiled 12/03/07. Read first time 01/14/08. Referred to Committee on Health Care & Wellness.

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) The potential benefits of public or private cord blood banking

1 and the opportunity to donate, to a public cord blood bank, blood and
2 tissue extracted from the placenta and umbilical cord following
3 delivery of a newborn child.

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

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

9 (1) A cord blood bank advertising, offering to provide, or
10 providing private cord blood banking services to residents in this
11 state must:

12 (a) Include, in any advertising or educational materials made
13 available to the general public or provided to health services
14 providers or potential cord blood donors, information about the cord
15 blood bank's rate of success in collecting, processing, and storing
16 sterile cord blood units that have adequate, viable yields of targeted
17 cells; and

18 (b) Provide to the cord blood donor, prior to billing for any
19 services, the results of appropriate quality control tests performed on
20 the donor's collected cord blood that demonstrate whether the collected
21 cord blood has microbial sterility and whether it has adequate, viable
22 targeted cell yields.

23 (2) The legislature finds that the practices covered by this
24 section are matters vitally affecting the public interest for the
25 purpose of applying the consumer protection act, chapter 19.86 RCW. A
26 violation of this section is not reasonable in relation to the
27 development and preservation of business and is an unfair or deceptive
28 act in trade or commerce and an unfair method of competition for the
29 purpose of applying the consumer protection act, chapter 19.86 RCW.

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

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

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

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

4 (d) "Private cord blood banking" means a cord blood bank that
5 provides, for a fee, cord blood banking services for the autologous use
6 of the cord blood.

7 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2009.

--- END ---