

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE DRH70337-MG-50B (2/26)

Short Title: Educate the Public About Cord Blood Banking.

(Public)

Sponsors: Representative Dickson.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO  
3 MAKE AVAILABLE TO THE PUBLIC, AND TO ENCOURAGE HEALTH CARE  
4 PROFESSIONALS TO MAKE AVAILABLE TO PREGNANT PATIENTS,  
5 EDUCATIONAL INFORMATION REGARDING UMBILICAL CORD STEM CELLS  
6 AND UMBILICAL CORD BLOOD BANKING.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. Part 2 of Article 5 of Chapter 130A of the General Statutes is  
9 amended by adding a new section to read:

10 "**§ 130A-128A. Department to provide free educational information about umbilical cord**  
11 **stem cells and umbilical cord blood banking.**

12 (a) As used in this section:

13 (1) Health care professional. – A person who is licensed pursuant to Chapter 90  
14 of the General Statutes to practice as a physician, physician assistant, or  
15 registered nurse or who is approved pursuant to Chapter 90 of the General  
16 Statutes to practice midwifery.

17 (2) Umbilical cord blood. – The blood that remains in the umbilical cord and  
18 placenta after the birth of a newborn child.

19 (b) Effective January 1, 2010, the Department of Health and Human Services shall  
20 make available free of charge to the general public on its Internet Web site printable  
21 publications, in a format that can be downloaded, containing medically accurate information  
22 regarding umbilical cord stem cells and umbilical cord blood banking that is sufficient to allow  
23 a pregnant woman to make an informed decision about whether to participate in a public or  
24 private umbilical cord blood banking program. The publications shall include at least all of the  
25 following information:

26 (1) An explanation of the medical processes involved in the collection of  
27 umbilical cord blood.

28 (2) An explanation of any risks associated with umbilical cord blood collection  
29 to the mother and the newborn child.

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

32 a. Having the stem cells discarded.

33 b. Donating the stem cells to a public umbilical cord blood bank.

34 c. Storing the stem cells in a private umbilical cord blood bank for use  
35 by immediate and extended family members.



1                   d.     Storing the stem cells for use by the family through a family or  
2                   sibling donor banking program that provides free collection,  
3                   processing, and storage of the stem cells where there is a medical  
4                   need.

5           (4)     The current and potential future medical uses, risks, and benefits of  
6           umbilical cord blood collection to (i) the mother, newborn child, and  
7           biological family and (ii) individuals who are not biologically related to the  
8           mother or newborn child.

9           (5)     An explanation of the differences between public and private umbilical cord  
10           blood banking.

11           (6)     Options for ownership and future use of the donated umbilical cord blood.

12       (c)     The Department may satisfy the requirements of subsection (b) of this section by  
13       including on its Internet Web site a link to a federally sponsored Internet Web site that North  
14       Carolina citizens may access so long as the federally sponsored Internet Web site contains all  
15       of the information specified in subdivisions (1) through (6) of subsection (b) of this section.

16       (d)     The Department shall encourage health care professionals who provide health care  
17       services that are directly related to a woman's pregnancy to provide each woman with the  
18       publications described in subsection (b) of this section prior to the woman's third trimester of  
19       pregnancy.

20       (e)     A health care professional or health care institution shall not be liable for damages  
21       in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary  
22       action by the North Carolina Medical Board or the North Carolina Board of Nursing for acting  
23       in good faith with respect to informing a pregnant woman prior to her third trimester of  
24       pregnancy about the publications described in subsection (b) of this section."

25           **SECTION 2.** This act is effective when it becomes law.