

Approved May 26, 2004.

**CHAPTER 451**

**(House Bill 398)**

AN ACT concerning

**Hospitals - Umbilical Cord Blood - Donation**

FOR the purpose of requiring each hospital to ~~offer~~ allow pregnant patients the option of ~~donating~~ arranging for the donation of certain umbilical cord blood to a certain cord blood bank with a certain exception; prohibiting a patient from being charged for the collection, storage, or transportation of donated cord blood; providing that a hospital is not required to collect cord blood from certain patients in certain circumstances; ~~prohibiting the required collection of cord blood by certain hospitals and certain hospital employees directly affiliated with a bona fide religious denomination with certain religious beliefs relating to the transfer of human blood~~ providing that a hospital or hospital employee may not be required to collect cord blood if the collection of cord blood conflicts with the bona fide religious practices and beliefs of the hospital or hospital employee; providing for the construction of this Act; and generally relating to the donation of umbilical cord blood through hospitals.

BY adding to

Article - Health - General

Section 19-308.7

Annotated Code of Maryland

(2000 Replacement Volume and 2003 Supplement)

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

**Article - Health - General**

19-308.7.

(A) UNLESS IT IS MEDICALLY INADVISABLE, EACH HOSPITAL SHALL ~~OFFER ALLOW~~ A PREGNANT PATIENT THE OPTION OF DONATING TO ARRANGE FOR THE DONATION OF THE BLOOD EXTRACTED FROM THE UMBILICAL CORD OF THE PATIENT'S NEWBORN CHILD TO A CERTIFIED PUBLIC CORD BLOOD BANK.

(B) A PATIENT WHO AGREES TO DONATE CORD BLOOD TO A PUBLIC CORD BLOOD BANK MAY NOT BE CHARGED FOR THE COSTS OF COLLECTING, STORING, OR TRANSPORTING THE CORD BLOOD.

(C) A HOSPITAL IS NOT REQUIRED TO COLLECT CORD BLOOD IF IN THE PROFESSIONAL JUDGMENT OF A LICENSED PHYSICIAN THE COLLECTION OF THE CORD BLOOD WOULD THREATEN THE HEALTH OF THE MOTHER OR NEWBORN CHILD.