

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 2310-577 as follows:

7 (20 ILCS 2310/2310-577 new)

8 Sec. 2310-577. Cord blood stem cell banks.

9 (a) Subject to appropriation, the Department shall
10 establish a statewide network of human cord blood stem cell
11 banks. The Director shall enter into contracts with qualified
12 cord blood stem cell banks to assist in the establishment,
13 provision, and maintenance of the network.

14 (b) A cord blood stem cell bank is eligible to enter the
15 network and be a donor bank if it satisfies each of the
16 following:

17 (1) Has obtained all applicable federal and State
18 licenses, accreditations, certifications, registrations,
19 and other authorizations required to operate and maintain a
20 cord blood stem cell bank.

21 (2) Has implemented donor screening and cord blood
22 collection practices adequate to protect both donors and
23 transplant recipients and to prevent transmission of

1 potentially harmful infections and other diseases.

2 (3) Has established a system of strict confidentiality
3 to protect the identity and privacy of patients and donors
4 in accordance with existing federal and State law and
5 consistent with regulations promulgated under the Health
6 Insurance Portability and Accountability Act of 1996,
7 Public Law 104-191, for the release of the identity of
8 donors, the identity of recipients, or identifiable
9 records.

10 (4) Has established a system for encouraging donation
11 by an ethnically and racially diverse group of donors.

12 (5) Has developed adequate systems for communication
13 with other cord blood stem cell banks, transplant centers,
14 and physicians with respect to the request, release, and
15 distribution of cord blood units nationally and has
16 developed those systems, consistent with the regulations
17 promulgated under the Health Insurance Portability and
18 Accountability Act of 1996, Public Law 104-191, to track
19 recipients' clinical outcomes for distributed units.

20 (6) Has developed an objective system for educating the
21 public, including patient advocacy organizations, about
22 the benefits of donating and utilizing cord blood stem
23 cells in appropriate circumstances.

24 (c) A donor bank that enters into the network shall do all
25 of the following:

26 (1) Acquire, tissue-type, test, cryopreserve, and

1 store donated units of human cord blood acquired with the
2 informed consent of the donor, in a manner that complies
3 with applicable federal regulations.

4 (2) Make cord blood units collected under this Section,
5 or otherwise, available to transplant centers for stem cell
6 transplantation.

7 (3) Allocate up to 10% of the cord blood inventory each
8 year for peer-reviewed research. This quota may be met by
9 using cord blood units that did not meet the cell count
10 standards necessary for transplantation.

11 (d) An advisory committee shall advise the Department
12 concerning the administration of the State cord blood stem cell
13 bank network. The committee shall be appointed by the Director
14 and consist of members who represent each of the following:

15 (1) Cord blood stem cell transplant centers.

16 (2) Physicians from participating birthing hospitals.

17 (3) The cord blood stem cell research community.

18 (4) Recipients of cord blood stem cell transplants.

19 (5) Family members who have made a donation to a
20 statewide cord blood stem cell bank.

21 (6) Individuals with expertise in the social sciences.

22 (7) Members of the general public.

23 (8) Each network donor bank.

24 Except as otherwise provided under this subsection, each
25 member of the committee shall serve for a 3-year term and may
26 be reappointed for one or more additional terms. Appointments

1 for the initial members shall be for terms of 1, 2, and 3
2 years, respectively, so as to provide for the subsequent
3 appointment of an equal number of members each year. The
4 committee shall elect a chairperson.

5 (e) The Department shall do each of the following:

6 (1) Ensure that the donor banks within the network meet
7 the requirements of subsection (b) on a continuing basis.

8 (2) Encourage network donor banks to work
9 collaboratively with other network donor banks and
10 encourage network donor banks to focus their resources in
11 their respective local or regional area.

12 (3) Designate one or more established national or
13 international cord blood registries to serve as a statewide
14 cord blood stem cell registry.

15 (4) Coordinate the donor banks in the network.

16 In performing these duties, the Department may seek the
17 advice of the advisory committee.

18 (f) Definitions. As used in this Section:

19 (1) "Cord blood unit" means the blood collected from a
20 single placenta and umbilical cord.

21 (2) "Donor" means a mother who has delivered a baby and
22 consents to donate the newborn's blood remaining in the
23 placenta and umbilical cord.

24 (3) "Donor bank" means a qualified cord blood stem cell
25 bank that enters into a contract with the Director under
26 this Section.

1 (4) "Human cord blood stem cells" means hematopoietic
2 stem cells and any other stem cells contained in the
3 neonatal blood collected immediately after the birth from
4 the separated placenta and umbilical cord.

5 (5) "Network" means the statewide network of qualified
6 cord blood stem cell banks established under this Section.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.