

SECOND REGULAR SESSION

SENATE BILL NO. 1055

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATORS CAUTHORN, KLINDT AND LOUDON.

Read 1st time January 29, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

4152S.011

AN ACT

To amend chapter 192, RSMo, by adding thereto four new sections relating to establishing an unrelated donor umbilical cord blood bank.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 192, RSMo, is amended by adding thereto four new sections, to be known as sections 192.730, 192.731, 192.732 and 192.733, to read as follows:

192.730. For purposes of sections 192.730 to 192.733, the following terms shall mean:

- (1) "Department", the department of health and senior services;**
- (2) "Director", the director of the department of health and senior services.**

192.731. 1. Subject to appropriations, the department shall establish a program to award a grant of start-up money for the establishment in this state of an umbilical cord blood bank for recipients of blood and blood components who are unrelated to the donors of the blood.

2. The director shall, by rule, establish eligibility criteria for awarding the grant. In awarding the grant, the department shall consider:

(1) The ability of the applicant to establish, operate, and maintain an unrelated donor umbilical cord blood bank and to provide related services;

(2) The demonstrated experience of the applicant in operating similar facilities in this state; and

(3) The applicant's commitment to continue to operate and maintain an unrelated donor umbilical cord blood bank after the expiration of the term of the contract required by subsection 3 of this section.

3. The recipient of the grant awarded shall enter into a contract under which the recipient agrees to:

(1) Operate and maintain an unrelated donor umbilical cord blood bank in this state at least until the eighth anniversary of the date of the award of the grant;

(2) Gather, collect, and preserve umbilical cord blood only from live births; and

(3) Comply with any financial or reporting requirements imposed on the recipient under rules adopted by the commissioner.

192.732. The grant authorized pursuant to sections 192.730 to 192.733 shall be awarded in the fiscal year beginning July 1, 2003, and may be awarded in subsequent years only if money is specifically appropriated for that purpose.

192.733. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 192.730 to 192.733 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

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