

HOUSE BILL 1456

J1, J3

5lr2003

By: **Delegate Metzgar**

Introduced and read first time: February 7, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals and Tissue Banks – Autologous and Directed Blood Donations –**
3 **Requirements**

4 FOR the purpose of requiring a tissue bank that facilitates autologous or directed blood
5 donations to comply with a physician's order prescribing an autologous or directed
6 blood donation; authorizing a tissue bank to charge a certain fee for facilitating an
7 autologous or directed blood donation; requiring a hospital to allow an individual to
8 provide an autologous or directed blood donation under certain circumstances; and
9 generally relating to autologous and directed blood donations.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 17–301
13 Annotated Code of Maryland
14 (2023 Replacement Volume and 2024 Supplement)

15 BY adding to
16 Article – Health – General
17 Section 17–315, 19–301(d–1) and (d–2), and 19–310(c)
18 Annotated Code of Maryland
19 (2023 Replacement Volume and 2024 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article – Health – General
22 Section 19–301(a) and 19–310(b)
23 Annotated Code of Maryland
24 (2023 Replacement Volume and 2024 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Health – General

17–301.

(a) In this subtitle the following words have the meanings indicated.

(B) “AUTOLOGOUS BLOOD DONATION” MEANS A BLOOD DONATION COLLECTED FROM THE PATIENT FOR USE BY THE PATIENT DURING OR AFTER A MEDICAL PROCEDURE.

(C) “DIRECTED BLOOD DONATION” MEANS A BLOOD DONATION COLLECTED FROM AN INDIVIDUAL OTHER THAN THE PATIENT WHO IS IDENTIFIED BY THE PATIENT, FOR USE BY THE PATIENT DURING OR AFTER A MEDICAL PROCEDURE.

[(b)] (D) “Permit” means a permit issued by the Secretary:

(1) To operate a tissue bank in this State; or

(2) To represent or service in this State a tissue bank that is outside this State.

[(c)] (E) (1) “Tissue bank” means an establishment that obtains, stores, processes, distributes, or sells human blood or other human tissue for use in the human body.

(2) “Tissue bank” includes a blood bank.

17–315.

(A) A TISSUE BANK THAT FACILITATES AUTOLOGOUS OR DIRECTED BLOOD DONATIONS SHALL COMPLY WITH A PHYSICIAN’S ORDER PRESCRIBING FOR AN INDIVIDUAL AN AUTOLOGOUS OR DIRECTED BLOOD DONATION.

(B) A TISSUE BANK MAY CHARGE A FEE IN AN AMOUNT THAT IS REASONABLE AND NECESSARY TO COVER THE ADMINISTRATIVE COST TO THE TISSUE BANK OF FACILITATING AN AUTOLOGOUS OR DIRECTED BLOOD DONATION ORDERED BY A PHYSICIAN.

19–301.

(a) In this subtitle the following words have the meanings indicated.

(D–1) “AUTOLOGOUS BLOOD DONATION” MEANS A BLOOD DONATION COLLECTED FROM THE PATIENT FOR USE BY THE PATIENT DURING OR AFTER A MEDICAL PROCEDURE.

1 **(D-2) “DIRECTED BLOOD DONATION” MEANS A BLOOD DONATION COLLECTED**
2 **FROM AN INDIVIDUAL OTHER THAN THE PATIENT WHO IS IDENTIFIED BY THE**
3 **PATIENT, FOR USE BY THE PATIENT DURING OR AFTER A MEDICAL PROCEDURE.**

4 19–310.

5 (b) (1) Subject to paragraph (2) of this subsection and notwithstanding any
6 other provision of law, a hospital offering bone marrow transplant services shall allow an
7 individual to donate bone marrow to any individual.

8 (2) An individual may donate bone marrow to another individual if a
9 licensed physician determines, based on the physician’s medical judgment, that the
10 donation of the bone marrow is in the best interests of the donee and there is no substantial
11 risk of medical injury to the donor.

12 **(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A HOSPITAL SHALL**
13 **ALLOW AN INDIVIDUAL RECEIVING A MEDICAL PROCEDURE TO PROVIDE AN**
14 **AUTOLOGOUS OR DIRECTED BLOOD DONATION ORDERED BY A PHYSICIAN FOR THE**
15 **MEDICAL PROCEDURE IF THE HOSPITAL FACILITATES BLOOD DONATIONS.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2025.