

Bill: 1st Substitute HB 400 – Blood Transfusion Amendments

Sponsor: Representative Kristen Chevrier

Floor Sponsor:

UASD Position: Tracking

This Bill addresses blood transfusions.

Discussion: Except in certain circumstances, the Bill prohibits a health care facility or provider from preventing a patient from providing their own blood product or a blood product from the patient's directed donor for any potential transfusion related to the patient's health care. The Bill also grants immunity from liability to health care providers and facilities in the event of a patient's injury, damages, or death occurring in connection with a transfusion involving blood products provided by the patient. The first substitute of the Bill, adopted by the Committee, modifies this provision by specifying that immunity applies to injuries, damages, or death occurring "in connection with" a transfusion, rather than "as a result of" the transfusion. The substitute also mandates that the blood establishment used by the patient must comply with all federal requirements for the collection of blood products.

The sponsor noted that he met with hospitals and other stakeholders to reach consensus on the language in the substitute Bill. Representative Acton inquired whether hospitals would charge additional fees for the procedure, to which the sponsor responded that the Bill does not address fees, leaving hospitals free to charge for this type of blood transfusion if they choose. Representative Hall asked how hospitals feel about the Bill and what their standard procedures would be. The sponsor explained that the process would be managed by a blood collection company, and hospitals would only need to store the blood until it is required for the patient's procedure. Representative Monson raised concerns about the potential for mix-ups with stored blood in emergency situations. The sponsor clarified that the Bill does not apply to emergencies.

A representative from the Utah Eagle Forum, the Utah Legislative Watch, and several members of the public expressed support for the Bill. While the Utah Academy of Family Support Center did not take a position, they thanked the sponsor for collaborating with them to address their concerns. An individual with experience working in blood transfusion field spoke in opposition to the Bill.

Yeas: 11

Nays: 0

N/V: 3

Outcome: 1st Substitute HB 400 passed out of the Committee with a favorable recommendation.

UASD