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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO HEALTH AND SAFETY -- ADEQUACY OF THE BLOOD SUPPLY IN
RHODE ISLAND

Introduced By: Representatives McNamara, Malik, Lima, and Shekarchi

Date Introduced: May 09, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-4.5 of the General Laws entitled "Blood Bank Services" is
2 hereby amended by adding thereto the following section:

3 **23-4.5-2. Blood banks regulated.** – (a) No person or entity may collect blood, blood
4 products, plasma or blood derivatives in the state of Rhode Island for transfusion unless it:

5 (1) Is licensed as a hospital in the state of Rhode Island; or

6 (2)(i) Is licensed as a clinical laboratory as defined in sections 23-16.2 and 23-16.2-4; and

7 (ii) Maintains a facility in the state of Rhode Island for the collection, processing and
8 testing of blood, blood products, plasma or blood derivatives, such testing to include all tests
9 required by the food and drug administration regarding testing of donated blood.

10 (b) The director of the Rhode Island department of health shall have the power to issue
11 regulations implementing this section, including the enforcement hereof. Whether or not
12 regulations have been issued, no license may be issued or renewed under subsection (a) hereof
13 except in accordance with the requirements of this chapter.

14 (c) No person or entity licensed as described in subsection (a) hereof may authorize any
15 third party not so licensed to collect blood or blood products on its behalf in the state of Rhode
16 Island, except that those entities as described in subsection (a) may temporarily authorize a
17 qualified third party to collect blood on their behalf should the licensed entity be unable to collect
18 blood to meet emergency needs.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would assume the continued quality and supply of blood and blood products in
2 Rhode Island and the cost-effectiveness of the blood supply system in this state by requiring that
3 any entity collecting blood within Rhode Island is predominantly committed to supplying blood
4 to hospitals within this state, and operates a testing facility in this state. Although intended to be
5 immediately effective without need for regulation, the act would also authorize enforcement by
6 the department of health, and would assure that no unregulated entity engages in blood collection.

7 This act would take effect upon passage.

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