

BILL ANALYSIS

Senate Research Center
88R12884 SRA-D

S.B. 1584
By: Hall
Health & Human Services
4/28/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

While autologous and directed donor blood donations have been available and utilized for decades in the healthcare system, it has become increasingly difficult to ensure that a blood recipient's desire to receive "known donor" status blood is actually achieved. Most frequently, this basic patient right is refused at point of service (e.g., hospital or clinic) despite the following:

1. A patient's doctor writes the order for the autologous or directed donor donation.
2. Autologous and directed donor blood is legal, safe, and has a long history of prior use.

This bill would require hospitals to allow patients to use autologous and/or directed donor blood if a 72-hour notice is provided to the hospital prior to a scheduled procedure and, for a direct blood donation, the patient provides the hospital a list of eligible blood donors. This will ensure a patient's freedom to make decisions regarding treatment options is honored.

As proposed, S.B. 1584 amends current law relating to certain autologous and direct blood donations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 241, Health and Safety Code, by adding Section 241.013, as follows:

Sec. 241.013. AUTOLOGOUS AND DIRECT BLOOD DONATIONS. Requires a hospital licensed under Chapter 241 (Hospitals) to allow an individual on whom a medical procedure is to be performed to provide an autologous or direct blood donation for the medical procedure if, not less than 72 hours before the time the medical procedure is scheduled to be performed, the individual notifies the hospital of the intention to provide an autologous or direct blood donation for the medical procedure and, for a direct blood donation, provides the hospital a list of eligible blood donors.

SECTION 2. Effective date: September 1, 2023.