

## **BILL ANALYSIS**

Senate Research Center  
88R27604 SRA-D

C.S.S.B. 1584  
By: Hall  
Health & Human Services  
5/3/2023  
Committee Report (Substituted)

### **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 ordered by a physician and at least 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.

The bill would also require blood centers to accommodate physician's orders for autologous and directed blood donations.

This will ensure that a patient's freedom to make decisions regarding his/her treatment options is honored.

C.S.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 Chapter 162, Health and Safety Code, by adding Section 162.021, as follows:

Sec. 162.021. AUTOLOGOUS OR DIRECT BLOOD DONATION. (a) Requires a blood bank that facilitates autologous or direct blood donations to comply with a physician's order prescribing for an individual an autologous or direct blood donation.

(b) Authorizes a blood bank to charge a fee in an amount reasonable and necessary to cover the administrative cost to the blood bank of facilitating an autologous or direct blood donation ordered by a physician under Subsection (a).

SECTION 2. 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:

(1) the hospital facilitates blood donations; and

(2) not less than 72 hours before the time the medical procedure is scheduled to be performed, the individual:

(A) notifies the hospital of the intention to provide an autologous or direct blood donation for the medical procedure; and

(B) for a direct blood donation, provides the hospital a list of eligible blood donors.

SECTION 3. Effective date: September 1, 2023.