

BILL ANALYSIS

Senate Research Center
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S.B. 125
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Health & Human Services
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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 achieved. Autologous blood donations, where individuals provide their own blood, is a practice that equally deserves more protection. Frequently, hospitals and clinics refuse this basic patient right at point of service despite that a patient's doctor writes the order for the autologous or directed donor donation and even though autologous and directed donor blood is legal, safe, and has a long history of prior use.

This bill is particularly important to people who are dependent upon blood transfusions to live. Although extremely rare, there are certain blood disorders that lead to death unless the person gets regular blood transfusions. For these individuals, it is imperative that they receive blood that is the closest match and not at the end of its shelf life to have the best long-term results and highest quality of life possible.

This bill seeks to safeguard this practice and ensure patients can access this life-saving treatment, in empowering them to participate in the decision of what blood is being used, if they so desire. It would require hospitals that facilitate blood donations to accommodate an autologous or directed donor blood donations for individuals who have scheduled medical procedures, so long as the patient provides notice of 72 hours and provides a list of eligible donors.

As proposed, S.B. 125 amends current law relating to the provision of autologous and direct blood donations for medical procedures performed at hospitals.

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 procedure if, not less than 72 hours before the scheduled time for the procedure, the individual notifies the hospital of the intention to provide an autologous or direct blood donation for the procedure and, for a direct blood donation, provides the hospital a list of eligible blood donors.

SECTION 2. Effective date: September 1, 2025.