

Substitute for HOUSE BILL No. 2998

By Committee on Insurance

3-23

9 AN ACT concerning certain items containing protoplasm; relating to life
10 form engineering; relating to information concerning umbilical cord
11 collection.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. On and after July 1, 2006, (a) As used in this section:

15 (1) "Human chimera" means:

16 (A) A human embryo into which a nonhuman cell or cells (or the
17 component parts thereof) have been introduced to render its membership
18 in the species homo sapiens uncertain through germline or other changes;

19 (B) a hybrid human or animal, or both, embryo produced by fertil-
20 izing a human egg with nonhuman sperm;

21 (C) a hybrid human or animal, or both, embryo produced by fertil-
22 izing a nonhuman egg with human sperm;

23 (D) an embryo produced by introducing a nonhuman nucleus into a
24 human egg;

25 (E) an embryo produced by introducing a human nucleus into a non-
26 human egg;

27 (F) an embryo containing haploid sets of chromosomes from both a
28 human and a nonhuman life form;

29 (G) a nonhuman life form engineered such that human gametes de-
30 velop within the body of a nonhuman life form; or

31 (H) a nonhuman life form engineered such that it contains a human
32 brain or a brain derived wholly or predominantly from human neural
33 tissues.

34 (2) "Human embryo" means an organism of the species homo sapiens
35 during the earliest stages of development, from one cell up to eight weeks.

36 (b) It shall be unlawful for any person to knowingly:

37 (1) Create or attempt to create a human chimera;

38 (2) transfer or attempt to transfer a human embryo into a nonhuman
39 womb;

40 (3) transfer or attempt to transfer a nonhuman embryo into a human
41 womb; or

42 (4) transport or receive for any purpose a human chimera.

43 (c) Any person who violates subsection (b) shall be guilty of a severity

1 level 3, person felony.

2 (d) Any person who violates subsection (b) and derives pecuniary gain
3 from such violation shall be subject to a civil fine of the greater of
4 \$1,000,000 and an amount equal to the amount of the gross gain multi-
5 plied by two. Moneys collected pursuant to this subsection shall be de-
6 posited in the state general fund.

7 (e) This section shall be part of and supplemental to the Kansas crim-
8 inal code.

9 Sec. 2. Sections 2 and 3, and amendments thereto, shall be cited as
10 the umbilical cord donation information act.

11 Sec. 3. (a) All health care providers providing health care services to
12 a pregnant woman during the last trimester of such pregnancy, which
13 health care services are directly related to such pregnancy, shall advise
14 such person of options to donate an umbilical cord following the delivery
15 of a newborn child. Provision in a timely manner of publications prepared
16 by the department of health and environment pursuant to subsection (b)
17 shall constitute compliance with this subsection.

18 (b) The department of health and environment shall, by July 1, 2006,
19 prepare and distribute to health care providers information that includes
20 the following:

21 (1) The medical processes involved in the collection of umbilical
22 cords;

23 (2) the medical risks to a mother and the newborn child of umbilical
24 cord collection;

25 (3) the current and potential future medical uses and benefits of um-
26 bilical cord collection to the birth mother, the newborn child and the
27 biological family;

28 (4) the current and potential future medical uses and benefits of um-
29 bilical cord collection to persons who are not biologically related to the
30 birth mother or the newborn child;

31 (5) any costs that may be incurred by a pregnant woman who chooses
32 to make an umbilical cord donation;

33 (6) options for ownership and future use of the donated material; and

34 (7) the availability in this state of umbilical cord donations.

35 Sec. 4. This act shall take effect and be in force from and after its
36 publication in the Kansas register.