

**Department of Legislative Services**  
Maryland General Assembly  
2025 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1456 (Delegate Metzgar)  
Health and Government Operations

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**Hospitals and Tissue Banks - Autologous and Directed Blood Donations -  
Requirements**

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This bill requires a tissue bank that facilitates “autologous blood donations” or “directed blood donations” to comply with a physician’s order prescribing an autologous or directed blood donation for an individual. A tissue bank may charge a fee in an amount that is reasonable and necessary to cover the administrative costs to the tissue bank of facilitating an autologous or directed blood donation ordered by a physician. Notwithstanding any other provision of law, a hospital that facilitates blood donations must allow an individual receiving a medical procedure to provide an autologous or directed blood donation ordered by a physician for the medical procedure.

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**Fiscal Summary**

**State Effect:** The change is technical in nature and does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary:** “Autologous blood donation” means a blood donation collected from a patient for use by the patient during or after a medical procedure. “Directed blood donation” means a blood donation collected from an individual other than the patient who is identified by the patient, for use by the patient during or after a medical procedure.

## **Current Law:**

### *Tissue Banks*

A tissue bank is an establishment (including a blood bank) that obtains, stores, processes, distributes, or sells human blood or other human tissue for use in the human body. The Office of Health Care Quality (OHCQ) permits and regulates tissue banks that provide services to Maryland residents. As of February 1, 2025, OHCQ regulates 156 tissue banks within Maryland and 373 tissue banks outside of the State.

### *Hospitals*

“Hospital” means an institution that (1) has a group of at least five physicians who are organized as medical staff for the institution; (2) maintains facilities to provide, under the supervision of medical staff, diagnostic and treatment services for two or more unrelated individuals; and (3) admits or retains the individuals for overnight care.

A hospital offering bone marrow transplant services must allow an individual to donate bone marrow to any individual. An individual may donate bone marrow to another individual if a licensed physician determines, based on the physician’s medical judgement, that the donation of the bone marrow is in the best interests of the donee (recipient) and there is no substantial risk of medical injury to the donor.

### *Blood Donation Regulation*

In general, the U.S. Food and Drug Administration (FDA) is responsible for ensuring the safety of donated blood, which can be further processed into blood components, such as red blood cells, platelets, and plasma. FDA oversight of the blood industry includes regulations and guidance regarding blood donor eligibility and donation testing to protect the health of both the donor and the recipient, with a focus on minimizing the risk of transmitting infectious diseases while maintaining an adequate supply of blood.

In Maryland, notwithstanding any other provision of law, a minor who is at least 17 years old, without the consent of a parent or legal guardian, may give blood for a program that (1) is voluntary; (2) does not pay money for the blood; and (3) is approved by the American Association of Blood Banks or the American Red Cross. Notwithstanding any other provision of law, a minor who is at least 16 years old, and has obtained the consent of a parent or legal guardian, may give blood to the aforementioned programs.

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2025  
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