

Kristen Chevrier proposes the following substitute bill:

Blood Transfusion Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kristen Chevrier

Senate Sponsor: Keven J. Stratton

LONG TITLE

General Description:

This bill addresses blood transfusions.

Highlighted Provisions:

This bill:

- except in certain situations, disallows a health care facility or provider from prohibiting a patient from providing the patient's own blood product or the blood product of the patient's directed donor for any potential transfusion related to the patient's health care; and

- provides immunity from liability to health care providers and facilities for a patient's injury, damages, or death occurring in connection with a transfusion of blood product provided by the patient.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26B-7-408.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26B-7-408.5** is enacted to read:

26B-7-408.5 . Directed blood product transfusion.

(1) As used in this section, "blood product" means the same as that term is defined in Section 26B-7-408.

(2)(a) Except as provided in Subsection (2)(b), a health care provider or health care facility may not prohibit a patient from providing, through a blood establishment

30 complying with all federal requirements for the collection of blood product, the
31 patient's own blood product or the blood product of the patient's directed donor for
32 any potential transfusion related to the patient's health care.

33 (b) Subsection (2)(a) does not apply if:

34 (i) the donation or transfusion of the blood product would be detrimental to the donor
35 or patient;

36 (ii) insufficient time exists prior to the surgery or procedure to coordinate and arrange
37 the patient's provision of the blood product; or

38 (iii) the surgery or medical procedure is for emergency medical services.

39 (3) A health care provider or facility operating within the scope of the provider's or
40 facility's license is immune from liability for injury, damages, or death occurring as a
41 result of using the blood product provided by the patient under Subsection (2)(a), unless
42 the provider's or facility's gross negligence regarding the blood product or transfusion
43 contributed to the injury, damages, or death.

44 (4) Nothing in this section shall be construed to conflict with federal law governing the
45 collection, donation, sale, or use of a blood product.

46 **Section 2. Effective Date.**

47 This bill takes effect on May 7, 2025.