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HUMAN BLOOD PROCUREMENT AND USE
2011 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Stephen G. Handy
Senate Sponsor: Patricia W. Jones
LONG TITLE
General Description:
This bill recodifies, repeals, and amends provisions of the Utah Code relating to the
procurement and use of human blood.
Highlighted Provisions:
This bill:
defines terms;
 deletes obsolete provisions relating to the donation of blood by a person who is 18
years old;
enacts the Human Blood Act;
 clarifies that the procurement and use of a blood product is considered a service
rather than a sale;
 provides that a minor who is at least 16 years old may donate blood to a voluntary,
noncompensatory blood donation program if a parent or legal guardian of the minor
consents to the donation; and
makes technical changes.
Money Appropriated in this Bill:
None
Other Special Clauses:
None
Utah Code Sections Affected:
ENACTS:
26-31-101 , Utah Code Annotated 1953

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30	26-31-102 , Utah Code Annotated 1953
31	26-31-202 , Utah Code Annotated 1953
32	RENUMBERS AND AMENDS:
33	26-31-201 , (Renumbered from 26-31-1, as enacted by Laws of Utah 1981, Chapter 126)
34	REPEALS:
35	15-2-5, as last amended by Laws of Utah 2010, Chapter 378
3637	Be it enacted by the Legislature of the state of Utah:
38	Section 1. Section 26-31-101 is enacted to read:
39	CHAPTER 31. HUMAN BLOOD ACT
40	Part 1. General Provisions
41	<u>26-31-101.</u> Title.
42	This chapter is known as the "Human Blood Act."
43	Section 2. Section 26-31-102 is enacted to read:
44	<u>26-31-102.</u> Definitions.
45	As used in this chapter:
46	(1) "Blood" means human blood.
47	(2) "Blood product" includes:
48	(a) whole blood;
49	(b) blood plasma;
50	(c) a blood derivative;
51	(d) blood platelets; and
52	(e) blood clotting agents.
53	Section 3. Section 26-31-201 , which is renumbered from Section 26-31-1 is
54	renumbered and amended to read:
55	Part 2. Blood Procurement and Use
56	$[\frac{26-31-1}{2}]$. Procurement and use of a blood product is a service and
57	not a sale.

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58	The following are considered to be the rendition of a service by each participant and are
59	not considered to be a sale:
60	(1) the procurement, processing, distribution, or use of [whole human blood, plasma,
61	blood products, and blood derivatives] a blood product for the purpose of injecting or
62	transfusing [them] the blood product into the human body [together with]; and
63	(2) the process of injecting or transfusing [the same shall be construed to be the
64	rendition of a service by every person participating therein and shall not be construed to be a
65	sale] a blood product.
66	Section 4. Section 26-31-202 is enacted to read:
67	26-31-202. Blood donation by a minor.
68	A minor who is at least 16 years old may donate blood to a voluntary, noncompensatory
69	blood donation program if a parent or legal guardian of the minor consents to the donation.
70	Section 5. Repealer.
71	This bill repeals:
72	Section 15-2-5, Blood donation by minor.