THE SENATE TWENTY-FOURTH LEGISLATURE, 2007 STATE OF HAWAII

S.B. NO. / 26/

****JAN 2 2 2007

A BILL FOR AN ACT

RELATING TO STEM CELL RESEARCH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

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PART I

SECTION 1. The legislature finds that an estimated one 2 3 hundred twenty eight million Americans suffer from the crippling economic and psychological burden of chronic, degenerative, and 4 acute diseases, including diabetes, Parkinson's disease, cancer, 5 and Alzheimer's disease. The costs of treatment and lost 6 productivity of chronic, degenerative, and acute diseases in the 7 8 United States run into hundreds of billions of dollars every year. Yet, the estimates of these economic costs do not account 9 for the extreme cost in human loss and suffering associated with 10 these conditions. 11

12 On the other hand, stem cell research could lead to 13 unprecedented treatments and potential cures for diabetes, 14 Alzheimer's disease, cancer, and other diseases. Stem cell 15 research offers immense promise for developing new medical 16 therapies for these debilitating diseases.



1 The United States has historically been a haven for open 2 scientific inquiry and technological innovation; and this environment, combined with the commitment of public and private 3 resources, has made the United States the preeminent world 4 leader in biomedicine and biotechnology. The biomedical 5 industry is a critical and growing component of Hawaii's 6 7 economy, and its development would be significantly hampered by 8 any limitation imposed on stem cell research.

9 Open scientific inquiry and research endeavors supported by 10 public funding will be essential to realizing the promise of 11 stem cell research. Publicly funded stem cell research, 12 conducted under established standards of open scientific 13 exchange, peer review, and public oversight, offers the most 14 efficient and responsible means of fulfilling the promise of the 15 use of stem cells in providing regenerative medical therapies.

16 The legislature further finds that stem cell research,
17 including the use of embryonic stem cells for medical research,
18 raises significant ethical and policy concerns. Public policy
19 on stem cell research must balance ethical and medical
20 considerations. While not unique, these ethical and policy
21 concerns associated with stem cell research must be well thought
22 out. The policy of this State must be based on an understanding



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of the science associated with stem cell research and grounded 1 2 on a thorough consideration of the ethical concerns regarding 3 this research. Public policy on stem cell research must be crafted to ensure that researchers have the research and ethical 4 5 tools necessary to fulfill the promise of stem cell research. 6 SECTION 2. Chapter 321, Hawaii Revised Statutes, is 7 amended by adding a new part to be appropriately designated and 8 to read as follows: . STEM CELL RESEARCH; POLICY 9 "PART Stem cell research; policy. (a) The policy of 10 §321-11 the State relating to stem cell research shall be as follows: 12 Research involving the derivation and use of human (1)embryonic stem cells, human embryonic germ cells, and 13 14 human adult stem cells from any source, including somatic cell nuclear transplantation, shall be: 15 (A) Permitted in this State: 16 (B) Conducted with full consideration of the ethical 17 and medical implications of this research; and 18 19 Reviewed by an approved institutional review (C) 20 board; A physician, or other health care provider, delivering 21 (2)22 fertility treatment shall provide the patient with



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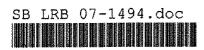
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1		timely, relevant, and appropriate information to allow	
2		the patient to make an informed and voluntary choice	
3		regarding the disposition of any human embryos	
4		remaining following the fertility treatment;	
5	(3)	Any individual to whom information is provided	
6		pursuant to paragraph (2) shall be presented with the	
7		option of storing unused embryos, donating them to	
8		another individual, discarding the embryos, or	
9		donating the remaining embryos for research;	
10	(4)	Any individual who elects to donate embryos remaining	
11		after fertility treatments for research shall provide	
12		written consent; and	
13	(5)	A person may not knowingly, for valuable	
14		consideration, purchase or sell embryonic or cadaveric	
15		fetal tissue for research purposes pursuant to this	
16		chapter.	
17	(b)	For purposes of this section, "valuable consideration"	
18	does not .	include reasonable payment for the removal, processing,	
19	disposal, preservation, quality control, storage,		
20	transplantation, or implantation of embryonic or cadaveric fetal		
21	tissue.		

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1	(c) Embryonic or cadaveric fetal tissue may be donated for			
2	research purposes pursuant to this part.			
3	(d) The director of health shall adopt rules in accordance			
4	with chapter 91 to implement this part."			
5	PART II			
6	SECTION 3. The legislature finds that the reestablishment			
7	of the University of Hawaii's school of medicine in the Kakaako			
8	area is generating an enormous stimulus towards medical and			
9	scientific innovation and presents a tremendous opportunity for			
10	the State to improve its position in the leading edge field of			
11	biotechnology and stem cell research. In conjunction with the			
12	state policy on stem cell research, an institute for			
13	regenerative medicine located at the University of Hawaii school			
14	of medicine could become a world leader in innovative stem cell			
15	research. Not only will humanity benefit, but this type of			
16	medical research will also significantly reduce state health			
17	care costs in the future. The State will benefit from			
18	royalties, patents, and licensing fees arising from discoveries			
19	and innovations relating to stem cell research. This research			
20	will create significant numbers of high-end jobs and generate			
21	millions of dollars as it expands the State's tax base.			



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1	The purpo	ose of this part is to lay the foundation for the
2	establishment	of an institute for regenerative medicine at the
3	University of	Hawaii's school of medicine.
4	SECTION 4	. (a) The president shall develop and the board
5	of regents of	the University of Hawaii shall approve for
6	submission to	the legislature a plan to establish an institute
7	for regenerati	ve medicine at the school of medicine. The
8	institute for	regenerative medicine shall have the following
9	purposes:	
10	(1) Supp	ort stem cell research and other vital research
11	oppo	rtunities to realize therapies, protocols, and
12	medi	cal procedures that will result in, as speedily as
13	poss	ible, the cure for or substantial mitigation of
14	majo	r diseases, injuries, and orphan diseases;
15	(2) Supp	ort all stages of the process of developing cures,
16	from	laboratory research through successful clinical
17	tria	ls; and
18	(3) Esta	blish the appropriate regulatory standards and
19	over	sight bodies for research and facilities
20	deve	lopment.
21	(b) The	plan to be developed by the president and approved

(b) The plan to be developed by the president and approvedby the board of regents of the University of Hawaii concerning

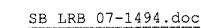


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1 the establishment of the institute for regenerative medicine
2 shall ensure that:

3 Use of research funds made available to the institute (1)will be maximized by giving priority to stem cell 4 5 research that has the greatest potential for therapies and cures, specifically focused on pluripotent stem 6 7 cell and progenitor cell research among other vital 8 research opportunities that cannot, or are unlikely 9 to, receive timely or sufficient federal funding, unencumbered by limitations that would impede the 10 11 research; provided that research shall be subject to 12 accepted patient disclosure and patient consent 13 standards;

14 (2)Research is conducted safely and ethically by including provisions to require compliance with 15 16 standards based on national models that protect 17 patient safety, patient rights, and patient privacy; 18 Use of any funds made available to the institute is (3)19 prohibited for human reproductive cloning; 20 (4)The Hawaii health care system is improved and the 21 long-term health care cost burden on Hawaii is reduced 22 through the development of therapies that treat



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1 diseases and injuries with the ultimate goal to cure 2 them; and

(5) Strict fiscal and public accountability is implemented 3 through mandatory independent audits, open meetings, 4 public hearings, and annual reports to the public. 5 The institute for regenerative medicine shall have the 6 (c) 7 right to conduct stem cell research, which includes research 8 involving adult stem cells, cord blood stem cells, pluripotent 9 stem cells, and progenitor cells. For the purposes of this 10 section, "pluripotent stem cells" are cells that are capable of 11 self-renewal and have broad potential to differentiate into multiple adult cell types. Pluripotent stem cells may be 12 derived from somatic cell nuclear transfer or from surplus 13 products of in vitro fertilization treatments, when such 14 15 products are donated under appropriate informed consent procedures. "Progenitor cells" are multipotent or precursor 16 cells that are partially differentiated, but retain the ability 17 to divide and give rise to differentiated cells. 18

19 (d) No funds authorized for, or made available to, the
20 institute for regenerative medicine shall be used for research
21 involving human reproductive cloning.



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The University of Hawaii may issue general obligation 1 (e) bonds to fund the development and construction of the institute 2 3 for regenerative medicine. The president shall develop and the board of regents 4 (f) shall approve the plan to establish the institute for 5 6 regenerative medicine no later than November 30, 2008, and 7 submit the finalized plan to the legislature no later than December 31, 2008, together with any necessary proposed 8 legislation, such as funding needs, for introduction in the 9 regular session of 2009. 10 11 PART III 12 SECTION 5. This Act shall take effect upon its approval. 13

INTRODUCED BY:

Clauna & mishikan Clauna & mishikan Carre Jub unaga



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Report Title: Human Stem Cell Research

Description:

Sets state policy for stem cell research in the State. Requires the University of Hawaii to develop plan to establish an institute for regenerative medicine at school of medicine no later than 12/31/2008.

