

Regular Session, 2010

HOUSE BILL NO. 312

BY REPRESENTATIVE SMILEY

HEALTH: Allows minors at least 16 years of age to donate blood with parental consent

1 AN ACT

2 To amend and reenact R.S. 40:1097, relative to the donation of blood by certain minors; to  
3 provide for the criteria that must be met in order for certain minors to donate blood;  
4 to provide for consent; to provide restrictions upon compensation for blood donation  
5 by certain minors; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1097 is hereby amended and reenacted to read as follows:

8 §1097. Donation of blood

9 A. Notwithstanding any other provision of the laws of the state of Louisiana,  
10 a minor ~~who has reached the age of seventeen years~~ may give consent to the  
11 donation of his ~~or her~~ blood and to the penetration of tissue necessary to accomplish  
12 such donation, ~~but such minor shall not be compensated therefor. Such consent shall~~  
13 ~~not be subject to deferments because of minority, and the consent of the parents or~~  
14 ~~guardian of such a minor shall not be required in order to authorize such donation~~  
15 ~~and penetration of tissue. if either of the following criteria is satisfied:~~

16 (1) The minor has reached the age of sixteen years and the written consent  
17 of the parents, legal guardian, or person who has legal authority to consent on behalf  
18 of the minor has been obtained.

1                   (2) The minor has reached the age of seventeen years. The consent of the  
2                   parents or guardian of a minor who has reached the age of seventeen years shall not  
3                   be required.

4                   B. No minor shall be compensated for the donation of his blood.

5                   C. Consent which is obtained pursuant to this Section shall not be subject to  
6                   deferments because of minority.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Smiley

HB No. 312

**Abstract:** Allows minors of at least 16 years of age to donate blood with the consent of a parent or legal guardian.

Present law provides that a minor of at least 17 years of age may donate blood without the consent of a parent or legal guardian.

Proposed law retains present law and adds an allowance for minors of at least 16 years of age to donate blood with the consent of a parent or legal guardian.

Proposed law prohibits minors from receiving compensation for the donation of their blood.

Proposed law provides that consent pursuant to proposed law shall not be subject to the deferments because of minority.

(Amends R.S. 40:1097)