

Regular Session, 2010

SENATE BILL NO. 450

BY SENATORS CHEEK, DORSEY, B. GAUTREAUX, MOUNT AND NEVERS

HEALTH SERVICES. Provides for donation of blood by certain minors. (8/15/10)

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**
17 **consent of the parents, legal guardian, or person who has legal authority to**

- 1 **consent on behalf of such minor has been obtained.**
- 2 **(2) The minor has reached the age of seventeen years. The consent of the**
- 3 **parents or guardian of a minor who has reached the age of seventeen years shall**
- 4 **not be required.**
- 5 **B. No minor shall be compensated for the donation of his or her blood.**
- 6 **Consent which is obtained pursuant to this Section shall not be subject to**
- 7 **deferments because of minority.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Greg Waddell.

DIGEST

Cheek (SB 450)

Present law provides that a minor who has reached the age of seventeen years may give consent to the donation of his or her blood and to the penetration of tissue necessary to accomplish such donation, but such minor shall not be compensated therefor. Present law further provides that consent shall not be subject to deferments because of minority, and the consent of the parents or guardian of such a minor shall not be required in order to authorize such donation and penetration of tissue.

Proposed law retains present law and further allows a minor who has reached the age of sixteen years and has obtained the written consent of a parent, legal guardian, or person who has legal authority to consent on behalf of such minor to donate blood.

Effective August 15, 2010.

(Amends R.S. 40:1097)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.

1. Technical amendment.