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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO HEALTH AND SAFETY -- REPRODUCTIVE TISSUE SAFETY AND STORAGE ACT OF 2024

Introduced By: Representatives McNamara, Tanzi, Cortvriend, Solomon, McGaw, Kislak, Caldwell, Alzate, Fogarty, and Ackerman
Date Introduced: March 06, 2024

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby amended by adding thereto the following chapter:

CHAPTER 13.8

REPRODUCTIVE TISSUE SAFETY AND STORAGE ACT OF 2024

23-13.8-1. Title.

This act shall be known as and may be cited as the "Reproductive Tissue Safety and Storage Act of 2024."

23-13.8-2. Definitions.

(a) As used in this chapter, the following terms shall have the following meanings, unless the context clearly suggests otherwise:

(1) "CAP" means the College of American Pathologists or any successor organization thereto.

(2) "Department" means the Rhode Island department of health.

(3) "Director" means the director of the Rhode Island department of health.

(4) "Facility" means an institution that provides reproductive services to patients seeking to achieve a pregnancy or pregnancies.

(5) "Reproductive tissue" means and includes, but is not limited to, human eggs, sperm, testicular tissue, ovarian tissue, and embryos.

(6) "Reproductive tissue facility" means a facility which provides the services of collecting, cryopreserving and/or storing reproductive tissue for use in in vitro fertilization and other procedures performed to achieve a pregnancy or pregnancies. This term includes a facility which engages in reproductive laboratory medicine and the disciplines of andrology and embryology, as defined by the College of American Pathologists.

23-13.8-3. Accreditation checklists required.

(a) The provisions of this chapter shall apply to reproductive tissue facilities whether or not the reproductive tissue facility is accredited by the College of American Pathologists ("CAP").

(b) On and after January 1, 2025, any reproductive tissue facility operating in this state shall annually undertake and complete the CAP accreditation checklist for reproductive laboratory medicine, or such other checklist which the CAP or successor entity uses to replace that checklist, either as a participating CAP laboratory or as a non-accredited laboratory.

(c) A separate accreditation checklist shall be completed for each reproductive tissue facility's location wherever any embryology procedures, including, but not limited to, embryo and gamete cryopreservation, donor reproductive tissue or cell programs, are conducted.

(d) A copy of the completed checklist shall be:

(1) Filed with the department of health; and

(2) Sent to each person who has contracted with the reproductive tissue facility to have the facility provide embryology procedures, including, but not limited to, embryo and gamete cryopreservation and/or donor reproductive tissue and/or cell programs, and which person's contract with the reproductive tissue facility is current and in effect and has not been fully completed.

(e) The provisions of this chapter shall not supplant any requirement for CAP accreditation by a participating laboratory.

23-13.8-4. Director of health.

The director of the department shall not be required to engage in any inspections of the facilities solely from the filing of an accreditation checklist pursuant to this chapter. The director may, however, promulgate rules and regulations to implement the provisions of this chapter.

SECTION 2. This act shall take effect on January 1, 2025.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N A C T

RELATING TO HEALTH AND SAFETY -- REPRODUCTIVE TISSUE SAFETY AND STORAGE ACT OF 2024

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This act would provide that on and after January 1, 2025, any reproductive tissue facility operating in this state would annually undertake and complete the College of American Pathologists or "CAP" accreditation checklist for reproductive laboratory medicine, or such other checklist which the CAP or successor entity uses to replace that checklist, either as a participating CAP laboratory or as a non-accredited laboratory, and file the completed checklist with the department of health.

This act would take effect on July 1, 2025.

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