

**Blood Transfusion Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kristen Chevrier**

Senate Sponsor:

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**LONG TITLE****General Description:**

This bill addresses blood transfusions.

**Highlighted Provisions:**

This bill:

▸ except in certain situations, disallows a health care facility or provider from prohibiting a patient from providing the patient's own blood product, or the blood product of the patient's provided donor, to be used for a transfusion for the patient's scheduled surgery or medical procedure;

▸ prescribes the allowable uses of unused blood product that was donated by a patient or a patient's provided donor; and

▸ shields health care facilities and providers from liability for injury, damages, or death to a patient occurring as a result of the use of the patient's own blood product or the blood product of the patient's provided donor.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**26B-7-408.5**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26B-7-408.5** is enacted to read:

**26B-7-408.5 . Directed blood donation.**

(1)(a) Except as provided in Subsection (1)(b), a health care facility at which a patient is scheduled in advance for a surgery or medical procedure, or the health care provider performing the surgery or medical procedure, may not prohibit the patient from

31 providing the patient's own blood product, or the blood product of a selected donor  
32 provided by the patient, to be used for any transfusion that may be necessary for the  
33 surgery or medical procedure if:

34 (i) there is sufficient time prior to the surgery or medical procedure to allow the  
35 patient to provide the patient's or the selected donor's blood product, without  
36 threatening the health of the patient or the donor; and

37 (ii) the donation is made no less than three days before, but not more than 10 days  
38 before, the day on which the surgery or medical procedure occurs.

39 (b) Subsection (1)(a) does not apply if:

40 (i) the donation or transfusion would be detrimental to the donor or patient; or

41 (ii) the surgery or medical procedure is for emergency medical services.

42 (2) A health care facility in possession of blood product provided under Subsection (1)(a)  
43 but unused for the intended patient, may:

44 (a) use the blood product for any lawful medical purpose;

45 (b) donate the blood product to a community blood product bank; or

46 (c) incinerate and destroy the blood product.

47 (3) A health care facility or licensed medical provider, acting within the facility's or  
48 provider's license and lawful scope of practice, is not liable to the patient under  
49 Subsection (1)(a) for injury, damages, or death occurring as a result of using blood  
50 product provided under Subsection (1)(a), unless the facility's or provider's gross  
51 negligence regarding the blood product or transfusion contributed to the injury,  
52 damages, or death.

53 (4) Nothing in this section shall be construed to conflict with federal law governing the  
54 collection, donation, sale, or use of a blood product.

55 **Section 2. Effective Date.**

56 This bill takes effect on May 7, 2025.