

{As Amended by House Committee of the Whole}

As Amended by House Committee

{As Amended by Senate Committee of the Whole}

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Session of 2013

SENATE BILL No. 199

By Senators Pilcher-Cook, Abrams, Apple, Arpke, Bruce, Donovan, Fitzgerald, Holmes, Kerschen, LaTurner, Love, Lynn, Masterson, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Powell, Pyle, Smith and Wagle

2-13

1 AN ACT concerning the university of Kansas medical center; establishing
2 the midwest stem cell therapy center.

3

4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) The university of Kansas medical center shall establish
6 the midwest stem cell therapy center. The center shall:

7 (1) Focus on activities that advance adult, cord blood and related stem
8 cell and non-embryonic stem cell research and therapies for patient
9 treatment;

10 (2) serve as a core facility to produce clinical grade stem cells from
11 adult tissues, cord blood and related materials for use in clinical trials and
12 therapies;

13 (3) facilitate the delivery of adult, cord blood and related stem cell
14 therapies to Kansas City and midwest region hospitals where appropriate;

15 (4) **partner and collaborate with the blood and marrow**
16 **transplant center of Kansas** to foster a regional network of physicians
17 trained in adult, cord blood and related stem *cell* therapy applications;

18 (5) create and maintain a database resource for physicians and
19 patients that provides a comprehensive global list of available stem cell
20 clinical trials and therapies;

21 (6) initiate clinical trials with adult, cord blood and related stem cells;

22 (7) create education modules to train and educate physicians and
23 research scientists about peer-reviewed adult, cord blood and related stem
24 cell therapy applications for patients;

25 (8) distribute information to Kansas physicians about methods for
26 successful treatments with adult, cord blood and related stem cells through
27 basic and clinical research; and

28 (9) inform the public on available adult, cord blood and related stem
29 cell therapeutic options.

1 Sec. 2. (a) The executive vice chancellor of the university of Kansas
2 medical center shall appoint the director of the midwest stem cell therapy
3 center.

4 (b) The director shall report to the executive vice chancellor of the
5 university of Kansas medical center.

6 (c) The director of the midwest stem cell therapy center shall have
7 experience in adult or cord blood stem cell research and experience in
8 clinical applications of adult or cord blood stem cell therapies.

9 (d) The director of the midwest stem cell therapy center shall be
10 responsible for administration of the midwest stem cell therapy center,
11 including the overall direction of personnel, equipment and facilities;

12 (e) The director of the midwest stem cell therapy center shall be
13 responsible for ~~oversight~~ **coordination** of patient treatment and research
14 with adult, cord blood and related stem cells and non-embryonic stem
15 cells;

16 (f) The director of the midwest stem cell therapy center is hereby
17 authorized to solicit and receive grants, gifts, contributions or bequests
18 made for the purpose of furthering the goals and missions of the midwest
19 stem cell therapy center. The director of the midwest stem cell therapy
20 center shall remit all moneys so received to the state treasurer in
21 accordance with the provisions of K.S.A. 75-4215, and amendments
22 thereto. Upon receipt of each such remittance, the state treasurer shall
23 deposit the entire amount in the state treasury to the credit of the midwest
24 stem cell therapy center fund.

25 (g) Fees received for core charges for cell processing and
26 manufacturing, clinical trial fees and similar service charges shall be paid
27 to the university of Kansas medical center research institute, inc. or
28 university of Kansas endowment, as determined by the director.

29 (h) The university of Kansas endowment association may accept gifts
30 directly designated for the benefit of the midwest stem cell therapy center
31 consistent with its corporate purpose as a nonprofit charitable corporation
32 whose mission seeks the advancement of the university of Kansas.

33 ***{(i) The director of the midwest stem cell therapy center shall***
34 ***annually submit a report to the senate committee on ways and means,***
35 ***senate committee on public health and welfare, house committee on***
36 ***appropriations and house committee on health and human services at***
37 ***the beginning of the regular session of the legislature beginning in 2014***
38 ***on the fees received, expenditure of moneys appropriated and activities***
39 ***of the midwest stem cell therapy center, including the activities of its***
40 ***affiliated organizations, and the activities of the advisory board.}***

41 Sec. 3. (a) There is hereby established in the state treasury the
42 midwest stem cell therapy center fund. Expenditures from the fund may be
43 made for the purposes of furthering the goals and missions of the midwest

1 stem cell therapy center and for such other purposes as may be specified
2 with regard to any grant, gift, contribution or bequest. All such
3 expenditures shall be authorized by the director of the midwest stem cell
4 therapy center and made upon warrants of the director of accounts and
5 reports issued pursuant to vouchers approved by the director of midwest
6 stem cell therapy center.

7 (b) On or before the 10th of each month, the director of accounts and
8 reports shall transfer from the state general fund to the midwest stem cell
9 therapy center fund interest earnings based on:

10 (1) The average daily balance of moneys in the midwest stem cell
11 therapy center fund for the preceding month; and

12 (2) the net earnings rate for the pooled money investment portfolio
13 for the preceding month.

14 Sec. 4. (a) There is hereby established the advisory board to the
15 midwest stem cell therapy center which shall be composed of ~~13~~ 14
16 members and one ex officio member as follows:

17 (1) One person representing the patient community appointed by the
18 governor and such original member shall serve two years;

19 (2) one person representing the physician community appointed by
20 the governor and such original member shall serve three years;

21 (3) one person representing the university of Kansas appointed by the
22 state board of regents and such original member shall serve one year;

23 (4) one person representing Kansas state university appointed by the
24 state board of regents and such original member shall serve one year;

25 (5) one person representing the university of Kansas medical center
26 appointed by the executive vice chancellor and such original member shall
27 serve three years;

28 (6) one person representing the institute for advancing medical
29 innovation appointed by the director of the institute for advancing medical
30 innovation and such original member shall serve one year;

31 (7) one person representing the university of Kansas cancer center
32 appointed by the director of the university of Kansas cancer center and
33 such original member shall serve two years;

34 (8) one person representing the university of Kansas hospital
35 authority appointed by the board of directors of the university of Kansas
36 hospital authority and such original member shall serve for one year;

37 (9) one member of the house of representatives appointed by the
38 speaker of the house and such original member shall serve for two years;

39 (10) one member of the senate appointed by the president of the
40 senate and such original member shall serve for three years;

41 (11) one person with a nationally respected reputation representing
42 the physician community appointed by the speaker of the house and such
43 original member shall serve three years;

1 (12) one person with a nationally respected reputation representing
2 the scientific research community appointed by the president of the senate
3 and such original member shall serve one year;

4 (13) one member of the executive branch of the state agencies
5 appointed by the governor and such original member shall serve for two
6 years;~~and~~

7 **(14) one member representing the blood and marrow transplant**
8 **center of Kansas {appointed by the chief executive officer of via christi**
9 **health and such original member shall serve three years}; and**

10 ~~(14)~~ **(15)** the director of the midwest stem cell therapy center as an ex
11 officio member of the board.

12 (b) The appointments to the advisory board shall be for terms of three
13 years, except as provided for the original members in subsection (a). No
14 member shall be appointed to the advisory board for more than three
15 consecutive terms. Upon the expiration of the term of office of any
16 member of the advisory board on or after the effective date of this act, and
17 in any case of a vacancy existing on or after the effective date of this act, a
18 successor shall be appointed by the appropriate entity pursuant to this
19 section.

20 (c) The advisory board shall serve in an advisory role to the director
21 of the midwest stem cell therapy center.

22 (d) Duties of members may include fundraising, public speaking and
23 other public relation activities to advance public awareness of successful
24 adult, cord blood and related stem cell therapeutic options.

25 (e) The governor shall appoint the chairperson of the advisory board
26 and the chairperson may serve consecutive terms. The advisory board shall
27 meet at least four times each year and at such other times as it deems
28 appropriate, or upon call of the chairperson.

29 (f) All members of the advisory board shall serve without
30 compensation.

31 Sec. 5. All funds and facilities of the midwest stem cell therapy center
32 shall be dedicated to treatments and research with adult, cord blood and
33 related stem cells and non-embryonic stem cells. No funds or facilities of
34 the midwest stem cell therapy center shall involve embryonic stem cells or
35 fetal tissue cells.

36 Sec. 6. As used in sections 1 through 5, and amendments thereto:

37 (a) "Adult, cord blood and related stem cells" are stem cells derived
38 from postnatal tissue cells, umbilical cord blood and cord tissue including
39 Wharton's jelly, amniotic fluid and placental tissue.

40 (b) "Embryonic stem cells" are stem cells derived from early stage
41 human embryos, up to and including the blastocyst stage.

42 (c) "Facilities" include all equipment used by the midwest stem cell
43 therapy center.

1 (d) "Fetal tissue cells" are cells harvested from aborted fetal tissue.

2 (e) "Non-embryonic stem cells" are stem cells such as iPS cells
3 (induced pluripotent stem cells) generated from adult somatic cells or
4 other non-embryonic tissue cells without any embryonic component.

5 Sec. 7. This act shall take effect and be in force from and after its
6 publication in the statute book.