

In the Senate of the United States,

December 9, 2015.

Resolved, That the bill from the House of Representatives (H.R. 2820) entitled “An Act to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Stem Cell Therapeutic*
3 *and Research Reauthorization Act of 2015”.*

4 **SEC. 2. REAUTHORIZATION OF THE C.W. BILL YOUNG CELL**
5 **TRANSPLANTATION PROGRAM.**

6 *(a) IN GENERAL.—Section 379(d)(2)(B) of the Public*
7 *Health Service Act (42 U.S.C. 274k(d)(2)(B)) is amended—*

8 *(1) by striking “remote collection” and inserting*
9 *“collection”; and*

10 *(2) by inserting “including remote collection,”*
11 *after “cord blood units.”.*

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
2 *379B of the Public Health Service Act (42 U.S.C. 274m)*
3 *is amended—*

4 (1) *by striking “\$30,000,000 for each of fiscal*
5 *years 2011 through 2014 and”;* and

6 (2) *by inserting “and \$30,000,000 for each of fis-*
7 *cal years 2016 through 2020” before the period at the*
8 *end.*

9 (c) *SECRETARY REVIEW ON STATE OF SCIENCE.*—The
10 *Secretary of Health and Human Services, in consultation*
11 *with the Director of the National Institutes of Health, the*
12 *Commissioner of the Food and Drug Administration, and*
13 *the Administrator of the Health Resources and Services Ad-*
14 *ministration, including the Advisory Council on Blood*
15 *Stem Cell Transplantation established under section 379(a)*
16 *of the Public Health Service Act (42 U.S.C. 274k(a)), and*
17 *other stakeholders, where appropriate given relevant exper-*
18 *tise, shall conduct a review of the state of the science of*
19 *using adult stem cells and birthing tissues to develop new*
20 *types of therapies for patients, for the purpose of consid-*
21 *ering the potential inclusion of such new types of therapies*
22 *in the C.W. Bill Young Cell Transplantation Program (es-*
23 *tablished under such section 379) in addition to the con-*
24 *tinuation of ongoing activities. Not later than June 30,*
25 *2019, the Secretary shall submit to the Committee on*

1 *Health, Education, Labor, and Pensions of the Senate and*
 2 *the Committee on Energy and Commerce of the House of*
 3 *Representatives recommendations on the appropriateness of*
 4 *such new types of therapies for inclusion in the C.W. Bill*
 5 *Young Cell Transplantation Program.*

6 **SEC. 3. CORD BLOOD INVENTORY.**

7 *Section 2 of the Stem Cell Therapeutic and Research*
 8 *Act of 2005 (42 U.S.C. 274k note) is amended—*

9 *(1) in subsection (a), by striking “one-time”;*

10 *(2) by striking subsection (c);*

11 *(3) by redesignating subsections (d) through (h)*
 12 *as subsections (c) through (g), respectively;*

13 *(4) in subsection (d) (as so redesignated)—*

14 *(A) in paragraph (1), by striking “para-*
 15 *graphs (2) and (3)” and inserting “paragraphs*
 16 *(2), (3), and (4)”;*

17 *(B) in paragraph (2)(B), by striking “sub-*
 18 *section (d)” and inserting “subsection (c)”;* and

19 *(C) by adding at the end the following:*

20 *“(4) CONSIDERATION OF BEST SCIENCE.—The*
 21 *Secretary shall take into consideration the best sci-*
 22 *entific information available in order to maximize the*
 23 *number of cord blood units available for transplant*
 24 *when entering into contracts under this section, or*

1 *when extending a period of funding under such a con-*
2 *tract under paragraph (2).*

3 “(5) *CONSIDERATION OF BANKED UNITS OF CORD*
4 *BLOOD.—In extending contracts pursuant to para-*
5 *graph (3), and determining new allocation amounts*
6 *for the next contract period or contract extension for*
7 *such cord blood bank, the Secretary shall take into ac-*
8 *count the number of cord blood units banked in the*
9 *National Cord Blood Inventory by a cord blood bank*
10 *during the previous contract period, in addition to*
11 *consideration of the ability of such cord blood bank to*
12 *increase the collection and maintenance of additional,*
13 *genetically diverse cord blood units.”;*

14 (5) *in subsection (f) (as so redesignated)—*

15 (A) *by striking paragraph (4); and*

16 (B) *by redesignating paragraphs (5) and*
17 (6) *as paragraphs (4) and (5), respectively; and*

18 (6) *in subsection (g) (as so redesignated)—*

19 (A) *in paragraph (1)—*

20 (i) *by striking “\$23,000,000 for each of*
21 *fiscal years 2011 through 2014 and”;* and

22 (ii) *by inserting “and \$23,000,000 for*
23 *each of fiscal years 2016 through 2020” be-*
24 *fore the period at the end; and*

25 (B) *by striking paragraph (2).*

1 **SEC. 4. DETERMINATION ON THE DEFINITION OF HUMAN**
2 **ORGAN.**

3 *Not later than one year after the date of enactment*
4 *of this Act, the Secretary of Health and Human Services*
5 *shall issue determinations with respect to the inclusion of*
6 *peripheral blood stem cells and umbilical cord blood in the*
7 *definition of human organ.*

Attest:

Secretary.

114TH CONGRESS
1ST SESSION

H.R. 2820

AMENDMENT