

114TH CONGRESS  
1ST SESSION

# S. 2282

To amend the Public Health Service Act to reauthorize the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2015

Mr. HATCH (for himself, Mr. REED, Mr. BURR, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to reauthorize the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stem Cell Therapeutic  
5 and Research Reauthorization Act of 2015”.

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

3 (a) IN GENERAL.—Section 379(d)(2)(B) of the Pub-  
4 lic Health Service Act (42 U.S.C. 274k(d)(2)(B)) is  
5 amended—

6 (1) by striking “remote collection” and insert-  
7 ing “collection”; and

8 (2) by inserting “including remote collection,”  
9 after “cord blood units,”.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
11 379B of the Public Health Service Act (42 U.S.C. 274m)  
12 is amended—

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

15 (2) by inserting “and \$30,000,000 for each of  
16 fiscal years 2016 through 2020” before the period at  
17 the end.

18 (c) SECRETARY REVIEW ON STATE OF SCIENCE.—  
19 The Secretary of Health and Human Services, in consulta-  
20 tion with the Director of the National Institutes of Health,  
21 the Commissioner of the Food and Drug Administration,  
22 and the Administrator of the Health Resources and Serv-  
23 ices Administration, including the Advisory Council on  
24 Blood Stem Cell Transplantation established under section  
25 379(a) of the Public Health Service Act (42 U.S.C.  
26 274k(a)), and other stakeholders, where appropriate given

1 relevant expertise, shall conduct a review of the state of  
2 the science of using adult stem cells and birthing tissues  
3 to develop new types of therapies for patients, for the pur-  
4 pose of considering the potential inclusion of such new  
5 types of therapies in the C.W. Bill Young Cell Transplan-  
6 tation Program (established under such section 379) in  
7 addition to the continuation of ongoing activities. Not  
8 later than June 30, 2019, the Secretary shall submit to  
9 the Committee on Health, Education, Labor, and Pen-  
10 sions of the Senate and the Committee on Energy and  
11 Commerce of the House of Representatives recommenda-  
12 tions on the appropriateness of such new types of thera-  
13 pies for inclusion in the C.W. Bill Young Cell Transplan-  
14 tation Program.

15 **SEC. 3. CORD BLOOD INVENTORY.**

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

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

19 (2) by striking subsection (c);

20 (3) by redesignating subsections (d) through (h)  
21 as subsections (c) through (g), respectively;

22 (4) in subsection (d) (as so redesignated)—

23 (A) in paragraph (1), by striking “para-  
24 graphs (2) and (3)” and inserting “paragraphs

25 (2), (3), and (4)”;

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

3 (C) by adding at the end the following:

4 “(4) CONSIDERATION OF BEST SCIENCE.—The  
5 Secretary shall take into consideration the best sci-  
6 entific information available in order to maximize  
7 the number of cord blood units available for trans-  
8 plant when entering into contracts under this sec-  
9 tion, or when extending a period of funding under  
10 such a contract under paragraph (2).

11 “(5) CONSIDERATION OF BANKED UNITS OF  
12 CORD BLOOD.—In extending contracts pursuant to  
13 paragraph (3), and determining new allocation  
14 amounts for the next contract period or contract ex-  
15 tension for such cord blood bank, the Secretary shall  
16 take into account the number of cord blood units  
17 banked in the National Cord Blood Inventory by a  
18 cord blood bank during the previous contract period,  
19 in addition to consideration of the ability of such  
20 cord blood bank to increase the collection and main-  
21 tenance of additional, genetically diverse cord blood  
22 units.”;

23 (5) in subsection (f) (as so redesignated)—

24 (A) by striking paragraph (4); and

1 (B) by redesignating paragraphs (5) and  
2 (6) as paragraphs (4) and (5), respectively; and  
3 (6) in subsection (g) (as so redesignated)—

4 (A) in paragraph (1)—

5 (i) by striking “\$23,000,000 for each  
6 of fiscal years 2011 through 2014 and”;  
7 and

8 (ii) by inserting “and \$23,000,000 for  
9 each of fiscal years 2016 through 2020”  
10 before the period at the end; and

11 (B) by striking paragraph (2).

12 **SEC. 4. DETERMINATION ON THE DEFINITION OF HUMAN**  
13 **ORGAN.**

14 Not later than one year after the date of enactment  
15 of this Act, the Secretary of Health and Human Services  
16 shall issue determinations with respect to the inclusion of  
17 peripheral blood stem cells and umbilical cord blood in the  
18 definition of human organ.

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