



General Assembly

February Session, 2008

Raised Bill No. 464

LCO No. 2226

02226 _____ PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING STEM CELL RESEARCH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-32d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) As used in sections 19a-32d to 19a-32g, inclusive, of the 2008
4 supplement to the general statutes and section 4-28e:

5 (1) "Institutional review committee" means the local institutional
6 review committee specified in 21 USC 360j(g)(3)(A)(i), as amended
7 from time to time, and, when applicable, an institutional review board
8 established in accordance with the requirements of 45 CFR 46, Subpart
9 A, as amended from time to time.

10 (2) "Cloning of a human being" means inducing or permitting a
11 replicate of a living human being's complete set of genetic material to
12 develop after gastrulation commences.

13 (3) "Gastrulation" means the process immediately following the
14 blastula state when the hollow ball of cells representing the early
15 embryo undergoes a complex and coordinated series of movements

16 that results in the formation of the three primary germ layers, the
17 ectoderm, mesoderm and endoderm.

18 (4) "Embryonic stem cells" means cells created through the joining of
19 a human egg and sperm or through nuclear transfer that are
20 sufficiently undifferentiated such that they cannot be identified as
21 components of any specialized cell type.

22 (5) "Embryonic stem cell research oversight committee" means a
23 committee established in accordance with the National Academies'
24 Guidelines for Human Embryonic Stem Cell Research, as amended
25 from time to time.

26 [(5)] (6) "Nuclear transfer" means the replacement of the nucleus of a
27 human egg with a nucleus from another human cell.

28 [(6)] (7) "Eligible institution" means (A) a nonprofit, tax-exempt
29 academic institution of higher education, (B) a hospital that conducts
30 biomedical research, or (C) any entity that conducts biomedical
31 research or embryonic or human adult stem cell research.

32 (b) No person shall knowingly (1) engage or assist, directly or
33 indirectly, in the cloning of a human being, (2) implant human
34 embryos created by nuclear transfer into a uterus or a device similar to
35 a uterus, or (3) facilitate human reproduction through clinical or other
36 use of human embryos created by nuclear transfer. Any person who
37 violates the provisions of this subsection shall be fined not more than
38 one hundred thousand dollars or imprisoned not more than ten years,
39 or both. Each violation of this subsection shall be a separate and
40 distinct offense.

41 (c) (1) A physician or other health care provider who is treating a
42 patient for infertility shall provide the patient with timely, relevant
43 and appropriate information sufficient to allow that person to make an
44 informed and voluntary choice regarding the disposition of any
45 embryos or embryonic stem cells remaining following an infertility

46 treatment.

47 (2) A patient to whom information is provided pursuant to
48 subdivision (1) of this subsection shall be presented with the option of
49 storing, donating to another person, donating for research purposes, or
50 otherwise disposing of any unused embryos or embryonic stem cells.

51 (3) A person who elects to donate for stem cell research purposes
52 any human embryos or embryonic stem cells remaining after receiving
53 infertility treatment, or unfertilized human eggs or human sperm shall
54 provide written consent for that donation and shall not receive direct
55 or indirect payment for such human embryos, embryonic stem cells,
56 unfertilized human eggs or human sperm. Consent obtained pursuant
57 to this subsection shall, at a minimum, conform to the National
58 Academies' Guidelines for Human Embryonic Stem Cell Research, as
59 amended from time to time.

60 (4) Any person who violates the provisions of this subsection shall
61 be fined not more than fifty thousand dollars or imprisoned not more
62 than five years, or both. Each violation of this subsection shall be a
63 separate and distinct offense.

64 (d) A person may conduct research involving embryonic stem cells,
65 provided (1) the research is conducted with full consideration for the
66 ethical and medical implications of such research, (2) the research is
67 conducted before gastrulation occurs, (3) prior to conducting such
68 research, the person provides to the Commissioner of Public Health
69 documentation verifying that any human embryos, embryonic stem
70 cells, unfertilized human eggs or human sperm used in such research
71 have been donated voluntarily in accordance with the provisions of
72 subsection (c) of this section, or if any embryonic stem cells have been
73 derived outside the state of Connecticut, that such stem cells have been
74 acceptably derived as provided in the National Academies' Guidelines
75 for Human Embryonic Stem Cell Research, as amended from time to
76 time, on a form and in the manner prescribed by the Commissioner of
77 Public Health, (4) the general research program under which such

78 research is conducted is reviewed and approved by an institutional
79 review committee, as required under federal law, [and] (5) the specific
80 protocol used to derive stem cells from an embryo is reviewed and
81 approved by an institutional review committee, and (6) all activities
82 involving embryonic stem cells are overseen by an embryonic stem cell
83 research oversight committee.

84 (e) The Commissioner of Public Health shall enforce the provisions
85 of this section and may adopt regulations, in accordance with the
86 provisions of chapter 54, relating to the administration and
87 enforcement of this section. The commissioner may request the
88 Attorney General to petition the Superior Court for such order as may
89 be appropriate to enforce the provisions of this section.

90 (f) Any person who conducts research involving embryonic stem
91 cells in violation of the requirements of subdivision (2) of subsection
92 (d) of this section shall be fined not more than fifty thousand dollars,
93 or imprisoned not more than five years, or both.

94 Sec. 2. Subsection (e) of section 19a-32g of the 2008 supplement to
95 the general statutes is repealed and the following is substituted in lieu
96 thereof (*Effective October 1, 2008*):

97 (e) All members of the committee shall become and remain fully
98 cognizant of the National [Academies] Academies' Guidelines [For] for
99 Human Embryonic Stem Cell Research, as [from time to time]
100 amended from time to time, and [the] shall utilize said guidelines to
101 evaluate each grant-in-aid application. The committee may make
102 recommendations to the Stem Cell Research Advisory Committee and
103 the Commissioner of Public Health concerning the adoption of said
104 guidelines, in whole or in part, in the form of regulations adopted
105 pursuant to chapter 54.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	19a-32d
Sec. 2	<i>October 1, 2008</i>	19a-32g(e)

Statement of Purpose:

To conform state stem cell research law with the National Academies' Guidelines for Embryonic Stem Cell Research.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]