

BARTO SUBSTITUTE FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1306

I move the following SUBSTITUTE Floor amendment to the HEALTH AND HUMAN SERVICES
Committee amendment to
SENATE BILL 1306 (Reference to Senate engrossed bill)

1 Page 1, between lines 8 and 9, insert:

2 "1. "CLINICAL INVESTIGATION" MEANS ACTIVITY CONDUCTED FOR THE PURPOSE
3 OF DEVELOPING, REFINING OR TRAINING IN THE PROCESS OF IN VITRO FERTILIZATION
4 FOR THE TREATMENT OF HUMAN INFERTILITY, INCLUDING EXPERIMENTS,
5 INVESTIGATIONS, CLINICAL TRIALS, AND THE DEVELOPMENT OF NEW TECHNOLOGY.
6 CLINICAL INVESTIGATION DOES NOT INCLUDE HUMAN SOMATIC CELL NUCLEAR TRANSFER."

7 Renumber to conform

8 Line 10, strike "PROVIDER" insert "DONOR"

9 Line 21, strike "PROVIDER" insert "DONOR"; strike "HARVESTS" insert "RETRIEVES"

10 Line 22, strike "PROVIDER" insert "DONOR"

11 Line 23, strike "HARVEST" insert "RETRIEVE"

12 Line 27, after the first "EGG" strike remainder of line, insert "DONOR, A
13 PHYSICIAN MUST COMPLY WITH ALL REQUIREMENTS PRESCRIBED BY THE FEDERAL FOOD
14 AND DRUG ADMINISTRATION AND PROVIDE THE EGG DONOR"

15 Lines 30, 33 and 42, strike "PROVIDER" insert "DONOR"

16 Strike lines 43 and 44

17 Renumber to conform

18 Page 2, line 1, strike "PROVIDER" insert "DONOR"

19 Line 3, strike "ARE NOT" insert "MAY NOT BE"

20 Line 4, after "D." insert "THE PHYSICIAN OR THE PHYSICIAN'S AGENT OR DESIGNEE
21 MUST PROVIDE THE INFORMATION REQUIRED BY SUBSECTION C OF THIS SECTION BEFORE
22 THE PHYSICIAN OR THE PHYSICIAN'S AGENT OR DESIGNEE PERFORMS ANY SCREENING OR
23 TESTING OF A POTENTIAL EGG DONOR."

24 Line 5, strike "PROVIDER" insert "DONOR"; after the second "PROCEDURE" insert
25 "THAT IS NOT PART OF THE SCREENING PROCESS"

1 Page 2, line 6, strike "PROVIDER" insert "DONOR"

2 Between lines 6 and 7, insert:

3 "E. THIS SECTION DOES NOT REQUIRE A PHYSICIAN TO PROVIDE ADDITIONAL
4 INFORMATION OR OBTAIN ADDITIONAL INFORMED CONSENT IF THE PHYSICIAN'S CURRENT
5 PRACTICES RELATING TO INFORMED CONSENT ALREADY MEET THE STANDARDS PRESCRIBED
6 BY SUBSECTIONS C AND D OF THIS SECTION."

7 Reletter to conform

8 Line 7, after "WHO" insert "KNOWINGLY"

9 Line 14, after "INFERTILITY" insert "OR FOR CLINICAL INVESTIGATION BY A
10 PHYSICIAN OR CLINIC WHOSE PRIMARY PRACTICE IS TREATMENT OF HUMAN INFERTILITY.
11 THIS SECTION DOES NOT PROHIBIT COMPENSATION OF EGG DONORS WHO PROVIDE OR
12 AGREE TO PROVIDE EGGS FOR THE TREATMENT OF HUMAN INFERTILITY OR FOR CLINICAL
13 INVESTIGATION BY A PHYSICIAN OR CLINIC WHOSE PRIMARY PRACTICE IS TREATMENT OF
14 HUMAN INFERTILITY.

15 B. THIS SECTION DOES NOT PROHIBIT ANY OF THE FOLLOWING:

- 16 1. TREATMENT OF HUMAN INFERTIITY THAT INVOLVES DONATED EGGS.
17 2. CRYOPRESERVATION OF HUMAN EGGS.
18 3. CLINICAL INVESTIGATION ON UNFERTILIZED HUMAN EGGS.
19 4. DONATION OF EGGS WITHOUT COMPENSATION FOR ANY PURPOSE"

20 Reletter to conform

21 Line 17, after "WHO" insert "KNOWINGLY"

22 Amend title to conform

NANCY K. BARTO

1306-f1-barto
4/19/10
12:42 PM
H:jmb