

As Amended by House Committee

{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

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.

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

1 center.

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

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

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

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

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

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

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

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

39 Sec. 3. (a) There is hereby established in the state treasury the  
40 midwest stem cell therapy center fund. Expenditures from the fund may be  
41 made for the purposes of furthering the goals and missions of the midwest  
42 stem cell therapy center and for such other purposes as may be specified  
43 with regard to any grant, gift, contribution or bequest. All such

1 expenditures shall be authorized by the director of the midwest stem cell  
2 therapy center and made upon warrants of the director of accounts and  
3 reports issued pursuant to vouchers approved by the director of midwest  
4 stem cell therapy center.

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

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

10 (2) the net earnings rate for the pooled money investment portfolio  
11 for the preceding month.

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

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

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

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

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

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

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

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

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

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

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

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

42 (12) one person with a nationally respected reputation representing  
43 the scientific research community appointed by the president of the senate

1 and such original member shall serve one year;

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

5 **(14) one member representing the blood and marrow transplant**  
6 **center of Kansas; and**

7 ~~(14)~~ **(15)** the director of the midwest stem cell therapy center as an ex  
8 officio member of the board.

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

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

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

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

26 (f) All members of the advisory board shall serve without  
27 compensation.

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

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

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

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

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

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

42 (e) "Non-embryonic stem cells" are stem cells such as iPS cells  
43 (induced pluripotent stem cells) generated from adult somatic cells or

- 1 other non-embryonic tissue cells without any embryonic component.
- 2       Sec. 7. This act shall take effect and be in force from and after its
- 3 publication in the statute book.