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

AN ACT concerning the university of Kansas medical center; establishing the midwest stem cell therapy center.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The university of Kansas medical center shall establish the midwest stem cell therapy center. The center shall:

(1) Focus on activities that advance adult, cord blood and related stem cell and non-embryonic stem cell research and therapies for patient treatment;

(2) serve as a core facility to produce clinical grade stem cells from adult tissues, cord blood and related materials for use in clinical trials and therapies;

(3) facilitate the delivery of adult, cord blood and related stem cell therapies to Kansas City and midwest region hospitals where appropriate;

(4) partner and collaborate with the blood and marrow transplant center of Kansas to foster a regional network of physicians trained in adult, cord blood and related stem cell therapy applications;

(5) create and maintain a database resource for physicians and patients that provides a comprehensive global list of available stem cell clinical trials and therapies;

(6) initiate clinical trials with adult, cord blood and related stem cells;

(7) create education modules to train and educate physicians and research scientists about peer-reviewed adult, cord blood and related stem cell therapy applications for patients;

(8) distribute information to Kansas physicians about methods for successful treatments with adult, cord blood and related stem cells through basic and clinical research; and

(9) inform the public on available adult, cord blood and related stem cell therapeutic options.
Sec. 2. (a) The executive vice chancellor of the university of Kansas medical center shall appoint the director of the midwest stem cell therapy center.

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

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

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

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

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

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

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

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

Sec. 3. (a) There is hereby established in the state treasury the midwest stem cell therapy center fund. Expenditures from the fund may be made for the purposes of furthering the goals and missions of the midwest
stem cell therapy center and for such other purposes as may be specified
with regard to any grant, gift, contribution or bequest. All such
expenditures shall be authorized by the director of the midwest stem cell
therapy center and made upon warrants of the director of accounts and
reports issued pursuant to vouchers approved by the director of midwest
stem cell therapy center.

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

1. The average daily balance of moneys in the midwest stem cell
therapy center fund for the preceding month; and
2. the net earnings rate for the pooled money investment portfolio
for the preceding month.

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

1. One person representing the patient community appointed by the
governor and such original member shall serve two years;
2. one person representing the physician community appointed by
the governor and such original member shall serve three years;
3. one person representing the university of Kansas appointed by the
state board of regents and such original member shall serve one year;
4. one person representing Kansas state university appointed by the
state board of regents and such original member shall serve one year;
5. one person representing the university of Kansas medical center
appointed by the executive vice chancellor and such original member shall
serve three years;
6. one person representing the institute for advancing medical
innovation appointed by the director of the institute for advancing medical
innovation and such original member shall serve one year;
7. one person representing the university of Kansas cancer center
appointed by the director of the university of Kansas cancer center and
such original member shall serve two years;
8. one person representing the university of Kansas hospital
authority appointed by the board of directors of the university of Kansas
hospital authority and such original member shall serve for one year;
9. one member of the house of representatives appointed by the
speaker of the house and such original member shall serve for two years;
10. one member of the senate appointed by the president of the
senate and such original member shall serve for three years;
11. one person with a nationally respected reputation representing
the physician community appointed by the speaker of the house and such
original member shall serve three years;
(12) one person with a nationally respected reputation representing the scientific research community appointed by the president of the senate and such original member shall serve one year;
(13) one member of the executive branch of the state agencies appointed by the governor and such original member shall serve for two years; and
(14) one member representing the blood and marrow transplant center of Kansas {appointed by the chief executive officer of via christi health and such original member shall serve three years}; and
(15) the director of the midwest stem cell therapy center as an ex officio member of the board.

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

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

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

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

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

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

Sec. 6. As used in sections 1 through 5, and amendments thereto:
(a) "Adult, cord blood and related stem cells" are stem cells derived from postnatal tissue cells, umbilical cord blood and cord tissue including Wharton’s jelly, amniotic fluid and placental tissue.
(b) "Embryonic stem cells" are stem cells derived from early stage human embryos, up to and including the blastocyst stage.
(c) "Facilities" include all equipment used by the midwest stem cell therapy center.
(d) "Fetal tissue cells" are cells harvested from aborted fetal tissue.
(e) "Non-embryonic stem cells" are stem cells such as iPS cells (induced pluripotent stem cells) generated from adult somatic cells or other non-embryonic tissue cells without any embryonic component.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.