

HOUSE BILL NO. 334

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 2/20/24

Referred: Health and Social Services

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the testing, labeling, and administration of donated blood; relating**
2 **to blood donation disclosures; relating to the duties of the Department of Health; and**
3 **providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 18.15 is amended by adding new sections to read:

6 **Article 7A. Testing, Labeling, and Administration of Donated Blood and Required**
7 **Disclosures.**

8 **Sec. 18.15.500. Duties of blood banks.** A blood bank shall

9 (1) ensure all donated blood is tested for evidence of messenger
10 ribonucleic acid vaccine components or self-amplifying ribonucleic acid vaccine
11 components, including evidence of lipid nanoparticles and spike proteins from a
12 vaccine; and

13 (2) require a blood donor to disclose during each blood donation
14 screening process whether the blood donor has previously received a messenger

1 ribonucleic acid vaccine or a self-amplifying ribonucleic acid vaccine.

2 **Sec. 18.15.510. Labeling donated blood.** A person who withdraws blood
3 from an individual or separates blood into components by physical process shall affix
4 to each container of blood or blood components a label that includes a designation, if
5 applicable, that the blood tested positive for evidence of a messenger ribonucleic acid
6 vaccine or a self-amplifying ribonucleic acid vaccine or was drawn from a blood
7 donor who disclosed that the donor had previously received a messenger ribonucleic
8 acid vaccine or a self-amplifying ribonucleic acid vaccine.

9 **Sec. 18.15.520. Administration of labeled blood.** A person administering
10 blood labeled under AS 18.15.510 by transfusion to an individual shall inform the
11 individual, or the authorized representative of the individual, that the blood tested
12 positive for evidence of a messenger ribonucleic acid vaccine or a self-amplifying
13 ribonucleic acid vaccine or was drawn from a blood donor who disclosed that the
14 donor had previously received a messenger ribonucleic acid vaccine or a self-
15 amplifying ribonucleic acid vaccine and give the individual or representative of the
16 individual the opportunity to refuse the blood.

17 **Sec. 18.15.530. Penalty.** A person who knowingly violates AS 18.15.500 -
18 AS 18.15.520 is guilty of a class A misdemeanor and upon conviction is punishable by
19 a fine of not more than \$1,000, or by imprisonment for not more than six months, or
20 by both.

21 **Sec. 18.15.540. Regulations.** The department shall adopt regulations necessary
22 to implement AS 18.15.500 - 18.15.520.

23 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 TRANSITION: REGULATIONS. The Department of Health may adopt regulations
26 necessary to implement this Act. The regulations take effect under AS 44.62 (Administrative
27 Procedure Act), but not before the effective date of the law implemented by the regulation.

28 * **Sec. 3.** Section 2 of this Act takes effect immediately under AS 01.10.070(c).

29 * **Sec. 4.** Except as provided in sec. 3 of this Act, this Act takes effect January 1, 2025.