

Legislative Analysis



JENNA'S LAW: BLOOD DONATION AT 16

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Senate Bill 486 as passed by the Senate

Sponsor: Sen. Wayne Kuipers

House Committee: Health Policy

Senate Committee: Health Policy

First Analysis (3-17-08)

BRIEF SUMMARY: The bill would allow 16 year olds to donate blood with parental consent.

FISCAL IMPACT: The bill has no state or local fiscal impact.

THE APPARENT PROBLEM:

The American Red Cross and Michigan Community Blood Centers, who together supply the state's need for donated blood, face many challenges in finding enough donors to meet a growing need for transfusions of blood products. With an aging population, the need for whole blood and blood products is expected to increase; in fact, between 2004 and 2007, the need for blood products grew twice as fast as the number of donors.

Currently, a person must be at least 17 years of age, 110 pounds, and in general good health in order to donate blood. Recently, a high school student, Jenna Kuipers, attempted to give blood as part of her high school's blood drive. After standing in line with several friends, she and her friends were surprised at being turned away solely because they were 16 years of age. Many blood drives are held at high schools, and Jenna felt allowing students of her age to donate could help fill the state's need for donated blood. At her request, legislation has been offered to allow blood donations by youths aged 16 if they had their parents' consent.

THE CONTENT OF THE BILL:

Public Act 22 of 1971, which prescribes the age at which persons may donate their blood, allows a person 17 years of age or older to donate blood in a voluntary and noncompensatory blood program without the need for consent by a parent or legal guardian.

Senate Bill 486 would name Public Act 22 (MCL 722.41) as "Jenna's Law" and would allow an individual who was 16 years of age to donate blood in a voluntary and noncompensatory blood program with his or her parent's or legal guardian's permission or authorization.

HOUSE COMMITTEE ACTION:

No amendments were added to the Senate-passed version.

ARGUMENTS:

For:

If 16 year olds were allowed to give blood, some estimate it would increase the number of available donors by about 40 percent. Further, by starting at 16, a person could give blood three or four times in high school: this could result in a greater chance of these students becoming lifelong donors. Since the need for blood and blood products is expected to increase dramatically in coming years as the boomer generation continues to age, the influx of these potential repeat donors is especially significant. Currently, 21 states allow 16 year olds to donate blood with parental consent, and at least six more are considering legislation to do the same.

Under the bill, parental consent would be needed (persons aged 17 and older do not need parental consent). All current policies regarding eligibility would then apply; for instance, the person would have to be at least 110 pounds and pass the current screening guidelines required by the Federal Food and Drug Administration and the donation center. Apparently, there are no medical reasons why a healthy 16 year old could not give blood, though the individual would need the maturity to know his or her own medical history and be able to answer the questions required of all potential donors. If a parent believed his or her child lacked that maturity, or knew their child's medical history would preclude them as a donor, the parents could withhold consent. Perhaps Jenna summed it up well in expressing to her father, the sponsor of the bill, that if she and her friends were old enough to drive, they were old enough to donate blood.

POSITIONS:

The Michigan Department of Community Health indicated support for the bill. (3-13-08)

A representative of the American Red Cross testified in support of the bill. (3-13-08)

A representative of the Michigan Community Blood Centers testified in support of the bill. (3-13-08)

America's Blood Centers, a network of non-profit, community-based blood centers, supports the bill. (3-13-08)

The Michigan Health and Hospital Association (MHA) indicated support for the bill. (3-13-08)

The Michigan Pharmacists Association indicated support for the bill. (3-13-08)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.