



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4243

Introduced 1/16/2024, by Rep. Jed Davis

SYNOPSIS AS INTRODUCED:

210 ILCS 25/7-108	from Ch. 111 1/2, par. 627-108
210 ILCS 25/7-110	from Ch. 111 1/2, par. 627-110
210 ILCS 25/7-111	from Ch. 111 1/2, par. 627-111
210 ILCS 25/7-120 new	

Amends the Illinois Clinical Laboratory and Blood Bank Act. Requires a blood bank to test or have tested donated blood for evidence of any COVID-19 vaccine and any other messenger ribonucleic acid (mRNA) vaccine components, and requires a blood donor to disclose during each blood donor screening process whether the blood donor has received a COVID-19 vaccine or any other mRNA vaccine during the donor's lifetime. Requires blood or blood components to include on their labels a designation that the blood or blood components tested positive for evidence of a COVID-19 vaccine or any other mRNA vaccine component or was drawn from a blood donor who disclosed the donor have received a COVID-19 vaccine or any other mRNA vaccine during the donor's lifetime. Provides that the Department of Public Health must adopt rules to implement the changes made by the amendatory Act.

LRB103 34691 AWJ 64536 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Clinical Laboratory and Blood Bank
5 Act is amended by changing Sections 7-108, 7-110, and 7-111
6 and by adding Section 7-120 as follows:

7 (210 ILCS 25/7-108) (from Ch. 111 1/2, par. 627-108)

8 Sec. 7-108. Duties of blood banks. A blood bank shall:

9 (a) Collect, process, and provide for use blood or blood
10 components from a blood donor only upon the consent of that
11 donor and under the direction or delegated direction of the
12 blood bank Medical Director.

13 (b) Transfuse blood or blood components upon the request
14 of a physician licensed to practice medicine in all its
15 branches, a dentist, or a podiatric physician who is on the
16 medical staff of a hospital and has permission from the
17 medical staff to make such a request. If the request is oral,
18 the physician or other authorized person shall submit a
19 written request to the blood bank within 48 hours. If the blood
20 bank does not receive the written request within that period,
21 it shall note that fact in its records.

22 (c) Test or have tested donated blood for evidence of any
23 COVID-19 vaccine or any other messenger ribonucleic acid

1 (mRNA) vaccine components, including evidence of lipid
2 nanoparticles and spike protein from a vaccine.

3 (d) Require a blood donor to disclose, during each blood
4 donor screening process, whether the blood donor has received
5 a COVID-19 vaccine or any other mRNA vaccine during the
6 donor's lifetime.

7 (Source: P.A. 98-214, eff. 8-9-13.)

8 (210 ILCS 25/7-110) (from Ch. 111 1/2, par. 627-110)

9 Sec. 7-110. Blood labeling. Every person who withdraws
10 blood from an individual or separates blood into components by
11 physical processes shall affix to each container of blood or
12 blood components a label that includes (1) the appropriate
13 donor classification, "volunteer donor" or "paid donor", in no
14 less prominence than the word "blood" or the name of the blood
15 component and (2) a designation, if true, that the blood
16 tested positive for evidence of a COVID-19 vaccine or any
17 other messenger ribonucleic acid (mRNA) vaccine or was drawn
18 from a blood donor who disclosed that the donor has received a
19 COVID-19 vaccine or any other mRNA vaccine during the donor's
20 lifetime.

21 Any person who receives blood or blood components in this
22 State from a federally licensed blood bank in another state
23 shall not be required to relabel a container of blood or blood
24 components if the container of blood or blood components is
25 labeled with the appropriate donor classification, "volunteer

1 donor" or "paid donor", in no less prominence than the word
2 "blood" or the name of the blood component.

3 (Source: P.A. 87-1269.)

4 (210 ILCS 25/7-111) (from Ch. 111 1/2, par. 627-111)

5 Sec. 7-111. Administration of labeled blood. No person may
6 administer blood by transfusion in this State or transfer or
7 offer to transfer blood for transfusion purposes by any type
8 of transaction unless the container of the blood is labeled as
9 required by Section 7-110 and, if the container is designated
10 under item (2) of Section 7-110, an acknowledgment from the
11 person receiving the transfusion, or the authorized
12 representative of the person, that the person or
13 representative has been given the opportunity to refuse blood
14 designated under item (2) of Section 7-110.

15 When blood is administered by transfusion in this State,
16 the identification number of the unit of blood shall be
17 recorded in the patient's medical record and the label on the
18 container of the blood shall not be removed before or during
19 the administration of that blood by transfusion.

20 (Source: P.A. 87-1269.)

21 (210 ILCS 25/7-120 new)

22 Sec. 7-120. Messenger ribonucleic acid (mRNA) vaccine
23 testing and labeling; rules. The Department must adopt rules
24 to implement the changes made by this amendatory Act of the

1 103rd General Assembly.