

§ 90-325.19. Prohibited purchase and sale of adult stem cells for certain investigational treatments.

(a) Except as allowed under subsection (c) and subsection (d) of this section, it is unlawful to knowingly offer to buy, offer to sell, acquire, receive, sell, or otherwise transfer any adult stem cells for valuable consideration for use in an investigational adult stem cell treatment.

(b) Subsection (a) of this section does not prohibit the following forms of valuable consideration for investigational adult stem cell treatment:

- (1) A fee paid to a health care provider for services rendered in the usual course of medical practice or a fee paid for hospital or other clinical services.
- (2) Reimbursement of legal or medical expenses incurred for the benefit of the ultimate receiver of the investigational adult stem cell treatment.
- (3) Reimbursement of expenses for travel, housing, and lost wages incurred by the donor of adult stem cells in connection with the donation of the adult stem cells.

(c) It is an exception to the application of this section that the actor engaged in conduct authorized under G.S. 130A-412.31.

(d) It is an exception to the application of this section that the actor is a health care provider, medical researcher, or biosciences professional who is either (i) engaged in research, clinical trials, or investigational adult stem cell treatment that is being overseen and has been approved by an institutional review board that meets the requirements of G.S. 90-325.18 or (ii) otherwise engaged in legal research, clinical trials, or investigational adult stem cell treatment.

(e) A violation of this section is a Class A1 misdemeanor. (2019-70, s. 1.)