

SENATE FILE NO. SF0048

Stem Cell Freedom Act.

Sponsored by: Senator(s) Barlow and Brennan and  
Representative(s) Clouston and Haroldson

A BILL

for

1 AN ACT relating to public health and safety; authorizing  
2 physicians to recommend and perform stem cell therapy on  
3 patients as specified; allowing health care insurers to  
4 cover stem cell therapy as specified; prohibiting the state  
5 board of medicine from taking action against a physician's  
6 license due to the use or promotion of stem cell therapy;  
7 prohibiting the state of Wyoming from denying patients  
8 access to stem cell therapy; providing that no cause of  
9 action is created against a person properly performing stem  
10 cell therapy; requiring compliance as specified; providing  
11 definitions; and providing for an effective date.

12

13 *Be It Enacted by the Legislature of the State of Wyoming:*

14

1           **Section 1.** W.S. 35-4-1101 through 35-4-1106 are  
2 created to read:

4                           ARTICLE 11

5                           STEM CELL FREEDOM ACT

7           **35-4-1101. Short title.**

9 This act shall be known and may be cited as the "Stem Cell  
10 Freedom Act."

12           **35-4-1102. Definitions.**

14           (a) As used in this article:

16                   (i) "Current good manufacturing practices" means  
17 the quality, safety and manufacturing practice standards  
18 employed under this act that are consistent with applicable  
19 federal law;

21                   (ii) "Institutional review board" means a group  
22 duly constituted and currently registered in accordance  
23 with applicable federal law that provides initial approval

1 and continuing oversight of the stem cell therapies being  
2 offered under this act, including adverse event reporting  
3 and the approval of a form to be used for informed consent  
4 between a physician and patient or the patient's legal  
5 representative prior to the use of stem cell therapy;

6  
7 (iii) "Investigational drug, biological product  
8 or device" means a drug, biological product or device that  
9 has successfully completed phase one (1) of a clinical  
10 trial but has not yet been approved for general use by the  
11 United States food and drug administration and remains  
12 under investigation in a clinical trial;

13  
14 (iv) "Physician" means a person licensed to  
15 practice medicine by the state board of medicine pursuant  
16 to title 33, chapter 26 of the Wyoming statutes.  
17 "Physician" shall not include a physician assistant as  
18 defined by W.S. 33-26-501(a)(iii);

19  
20 (v) "Stem cell therapy" means treatment  
21 involving the use of autologous mesenchymal stem cells,  
22 including but not limited to the collection, processing,  
23 cultural expansion, manufacturing, storage and therapeutic

1 use of stem cells. "Stem cell therapy" shall not include,  
2 whether directly or indirectly, the use of any biological  
3 material derived from an abortion;

4  
5 (vi) "This act" means W.S. 35-4-1101 through  
6 35-4-1106.

7  
8 **35-4-1103. Access to stem cell therapy; conditions;**  
9 **insurance coverage.**

10  
11 (a) Notwithstanding W.S. 35-7-118 and any other law  
12 to the contrary, a patient may receive, and a physician may  
13 perform, stem cell therapy that has not been approved by  
14 the United States food and drug administration if:

15  
16 (i) The therapy is conducted in accordance with  
17 a current institutional review board approval or is an  
18 investigational drug, biological product or device;

19  
20 (ii) The stem cells are manufactured and handled  
21 in accordance with current good manufacturing practice  
22 standards;

23

1           (iii) A physician-patient relationship exists  
2 between the physician administering the stem cell therapy  
3 and the person receiving the therapy;

4

5           (iv) The patient or legally recognized  
6 representative of the patient has provided written informed  
7 consent acknowledging:

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9           (A) The nature and character of the  
10 proposed stem cell therapy;

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12           (B) That stem cell therapy is not approved  
13 by the United States food and drug administration;

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15           (C) The potential benefits, risks and  
16 complications associated with stem cell therapy and the  
17 procedure to be performed; and

18

19           (D) The financial responsibility of the  
20 patient or legally recognized representative of the patient  
21 in paying for the stem cell therapy to be received.

22

1           (b) Stem cell therapy provided pursuant to this act  
2 shall be administered by a physician or under the direct  
3 supervision of a physician. Activities other than the  
4 actual administration of the stem cells to the patient  
5 shall be supervised by a physician.

6  
7           (c) No person authorized under this act to perform  
8 stem cell therapy or manufacture stem cells shall be  
9 obligated by this act to provide stem cell therapy or stem  
10 cells but may do so according to the person's own  
11 discretion and judgment.

12  
13           (d) A health carrier as defined by W.S.  
14 26-13-303(a)(iii) may but shall not be required to provide  
15 coverage for costs associated with stem cell therapy.

16  
17           (e) This act shall not prohibit the performing of any  
18 stem cell therapy or activity otherwise allowed by law. A  
19 person shall not perform, advertise or represent that the  
20 person is providing stem cell therapy under this act if the  
21 person does not comply with the provisions of this act.

22

1           **35-4-1104. Action against physician license**  
2 **prohibited.**

3

4   Notwithstanding any other provision of law, the Wyoming  
5   state board of medicine shall not revoke, fail to renew,  
6   suspend or take any other action against a physician's  
7   license based solely on the physician's recommendations to  
8   a patient regarding access to or treatment with stem cell  
9   therapy or the performance of stem cell therapy, provided  
10   that the recommendations or procedures are consistent with  
11   medical standards of care.

12

13           **35-4-1105. Access to stem cell therapy.**

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15   An official, employee or agent of this state or any  
16   political subdivision of this state shall not prohibit or  
17   attempt to prohibit a patient's access to stem cell  
18   therapy. Counseling, advice or a recommendation consistent  
19   with medical standards of care from a licensed health care  
20   provider shall not constitute a violation of this section.

21

22           **35-4-1106. No cause of action created.**

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1 This act shall not create a private cause of action against  
2 any person involved in the care of an eligible patient  
3 using stem cell therapy or the manufacturing of stem cells  
4 if the person is complying with the requirements of this  
5 act and medical standards of care.

6

7 **Section 2.** This act is effective July 1, 2026.

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(END)