



Policy for Use of Stem Cells in Research

Policy number:ORSP 193

Abstract:This policy describes limits to the use of human stem cells in research at The University of South Dakota.

Current version:August 21, 2009

Revisions:

Responsible position:Vice President for Research

Contact for information:Office of Research and Sponsored Programs

Related policies:[SDCL 34-14-18](#)

Purpose

This policy describes the legal limits on the use of human stem cells in research, and sets forth a procedure at USD through which researchers document their compliance with the policy and SD codified law.

Limitations to Use of Stem Cells in Research

SD Codified Law 34-14-18 states; “Use of cells or tissues obtained in violation of § 34-14-16 or 34-14-17 prohibited. **No person may use for research purposes cells or tissues that the person knows were obtained by performing the activities described in §§ 34-14-16 and 34-14-17.** A violation of this section is a Class 1 misdemeanor.”

Source: SL 2000, ch 169, § 3.

The articles to which SDCL 34-14-18 refers read:

“34-14-16. Research that destroys human embryo prohibited--Violation as misdemeanor. **No person may knowingly conduct nontherapeutic research that destroys a human embryo.** A violation of this section is a Class 1 misdemeanor.

Source: SL 2000, ch 169, § 1.”

“34-14-17. Research subjecting human embryo to substantial risk prohibited--Sale or transfer of embryos for research prohibited--Violation as misdemeanor. **No person may knowingly conduct nontherapeutic research that subjects a human embryo to substantial risk of injury or death. No person may sell or transfer a human embryo with the knowledge that the embryo will be subjected to nontherapeutic research.** A violation of this section is a Class 1 misdemeanor.

Source: SL 2000, ch 169, § 2.”

Procedure for Complying with Policy

Researchers planning the use of stem cells in research must provide to the vice president for research documentation from an official source affirming that the cells or tissue were not derived in violation of SDCL 34-14-18, or describing in sufficient detail the actual derivation of the cells or tissue so as to demonstrate unequivocally that SDCL 34-14-18 is not violated.

The documentation may be provided as a paper document with explanatory cover letter, or an email to orsp@usd.edu with explanatory narrative and official documents as attachments.

Provision of documentation, and review and certification of compliance by the vice president for research are required prior to purchase or transfer of stem cells to USD.

Additional Reference Materials

“Stem Cell Information”, National Institutes of Health resource for stem cell research:
<http://stemcells.nih.gov/index.asp>

Federal Register, March 11, 2009, Part IV, Executive Order 13505, “Removing Barriers to Responsible Scientific Research Involving Human Stem Cells”:
<http://edocket.access.gpo.gov/2009/pdf/E9-5441.pdf>