

# HOUSE BILL REPORT

## SHB 1489

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**As Passed House:**

March 10, 2003

**Title:** An act relating to the organ donor registry.

**Brief Description:** Creating a voluntary organ and tissue donor registry.

**Sponsors:** By House Committee on Health Care (originally sponsored by Representatives Sullivan, Pflug, Schual-Berke, Crouse, Cody, Santos, Morrell, Wood, Anderson and Kenney).

**Brief History:**

**Committee Activity:**

Health Care: 2/11/03, 2/20/03 [DPS].

**Floor Activity:**

Passed House: 3/10/03, 94-1.

**Brief Summary of Substitute Bill**

- Requires the federally-designated organ procurement organization to create a statewide organ and tissue donor registry with information from driver's licenses and identicards.
- Requires the Department of Licensing to electronically transmit information about individuals who wish to be organ and tissue donors to the registry.
- Creates the "Organ and Tissue Donation Awareness Account" with donations from vehicle registration applicants to be used for organ and tissue donor awareness activities.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Cody, Chair; Morrell, Vice Chair; Pflug, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Alexander, Benson, Campbell, Clibborn, Darneille, Edwards, Moeller, Schual-Berke and Skinner.

**Staff:** Chris Blake (786-7392).

**Background:**

Washington's Uniform Anatomical Gift Act allows a person to donate all or part of his or her body to another person. Such an organ donor may indicate his or her intent to donate by signing a "document of gift." This document may be a driver's license, a donor card, a will, or other written statement of the donor's intentions. Hospitals must develop procedures for identifying potential organ and tissue donors and discussing donation options with the next of kin. The Department of Licensing is required to provide a statement on drivers' licenses to allow an individual to certify their willingness to be an organ and tissue donor.

Approximately 80,000 people are on a national transplant waiting list, 1,200 of these people are listed at Washington State transplant centers. Organ procurement organizations are entities that are designated by the U. S. Department of Health and Human Services and are responsible for coordinating organ procurement for the areas that they serve. These activities include evaluating potential donors, arranging for the removal of donated organs, preserving donated organs and arranging for their distribution. There is one federally-designated organ procurement organization in Washington State and there are five transplant centers.

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**Summary of Substitute Bill:**

The organ procurement organization (OPO) designated by the U. S. Department of Health and Human Services shall establish a statewide organ and tissue donor registry. The registry shall be created with organ and tissue donor information from the Department of Licensing (Department) as well as information from other sources. Cadaveric organ and tissue agencies shall have access to the registry to assist with the recovery and placement of organs and tissues. The OPO is responsible for the cost of creating and maintaining the registry. An individual may be an organ donor without being in the registry.

The Department is instructed to electronically transfer the driver's license and identicaid information of organ and tissue donors to the OPO. The Department shall regularly transfer this information and any change in donor status to the OPO at no charge. The information cannot be subsequently transferred or used by the OPO for fund raising. The Department must provide written information about organ and tissue donation to vehicle registration applicants.

The "Organ and Tissue Donation Awareness Account" (Account) is created. Funds for the Account shall come from donations from vehicle registration applicants and any other contributions or appropriations. The Department must ask all vehicle registration applicants if they would like to donate money to the Account. The Department must transfer the donations to the State Treasurer who shall credit the Account. Expenditures

from the Account may only be used for organ and tissue donation awareness programs. The Department will be reimbursed from the Account for the costs of the initial installation for electronic transfer of donor information. The OPO will pay for the cost of creating and maintaining the donation program. Funds shall be transferred at least quarterly to the foundation created by the OPO for this purpose.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on January 1, 2004.

**Testimony For:** A comprehensive registry program with broad-based data will foster coordination and education efforts regarding organ donation. This bill will ensure that the wishes of the deceased are respected. The number and diversity of potential donors will increase with a statewide registry.

**Testimony Against:** There will be longer lines at the Department of Licensing. Potential donors will not register to donate if they must contact a third party organization if they change their minds. If the state must front the costs to the Department of Licensing, other needs will go unmet.

**Testified:** (In support) Representative Sullivan, prime sponsor; Vicki Austin, Judy Grogan, Debbie Whitlock, and Jill Steinhaus, Life Center Northwest; Eric Anderson, Department of Licensing; Mike Ryherd, Fred Hutchinson Cancer Research Center; and Kim Kime-Parks.

(Opposed) Valerie Barschaw and Bill Barschaw.