

HOUSE BILL REPORT

SSB 5509

As Reported by House Committee On:
Health Care

Title: An act relating to the organ donor registry.

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

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators B. Sheldon, Kohl-Welles, Deccio and Winsley).

Brief History:

Committee Activity:

Health Care: 3/20/03, 4/3/03 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Allows Washington State organ procurement organizations 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.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. 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 are two federally-designated organ procurement organizations serving Washington State and there are five transplant centers.

Summary of Amended Bill:

Washington State organ procurement organizations may 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. Washington State organ procurement organizations are 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 Washington State organ procurement organizations. The Department shall regularly transfer this information and any change in donor status to the Washington State organ procurement organizations at no charge. The information cannot be subsequently transferred or used 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 as a non-appropriated fund. 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. The Department will be reimbursed from the Account for the reasonable costs of maintaining the transfer of information to the registry. After the

Department is reimbursed, expenditures from the Account may only be used for organ and tissue donation awareness programs. Organ and tissue awareness programs must be funded proportionally across the state and funds may not be used outside of Washington. Washington State organ procurement organizations 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 Washington State organ procurement organizations for this purpose.

Amended Bill Compared to Substitute Bill:

Definitions for the terms Washington State organ procurement agency– and reasonable costs– are added.

The Legislature may appropriate funds from the Account to the Department for the costs of maintaining the registry.

It is clarified that any donor registry must include all Washington residents. Funds from the Account must be used proportionally across Washington and may not be used for out-of-state programs.

The effective date for the donation program is changed to apply to registrations due on or after January 1, 2004.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed, except for section 6, relating to registrations, which takes effect on January 1, 2004.

Testimony For: This bill is essential for ensuring that those who want to be organ donors are able to have their wishes carried out.

Testimony Against: None.

Testified: Vicki Austin, Life Center Northwest; and Patrick Halstead, Department of Licensing.