

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Bonamici, Bruun, Cannon, Flores, Gelser, Kotek, Maurer, Richardson, Greenlick
Nays:	0
Exc.:	0
Prepared By:	Sandy Thiele-Cirka, Administrator
Meeting Dates:	4/10 (Policy sub), 4/26 (Policy sub), 4/30 (Full)

WHAT THE MEASURE DOES: Establishes a nine-member Task Force on Nontransplantable Anatomical Gift Donation, appointed by the Governor. Specifies task force membership. Instructs the task force to consider specific issues related to anatomical gift donations and to report findings and recommendations for legislation to the appropriate interim legislative committee by October 1, 2008. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- The need to regulate and govern anatomical donation programs in Oregon
- Examples of inappropriate and unethical behavior between funeral homes and some anatomical donation facilities
- Issue is larger than just specific organ donation
- Current licensing and training requirements for funeral directors, embalmers or apprentices, but no requirements for personnel of a anatomical donation company
- Review of organ procurement organizations regulated by the federal government
- Need for transparency in organ, tissue and eye donations
- Anatomical gifts designated for research and education have no federal or state oversight

EFFECT OF COMMITTEE AMENDMENT: Clarifies that the task force is on “Nontransplantable” Anatomical Gift Donation. Modifies the task force membership from two public members to one public member and a representative of the State Mortuary and Cemetery Board. Specifies that the Legislative Administration Committee will provide appropriate staffing. Deletes language relating to compensation and reimbursement of expenses incurred by a task force members.

BACKGROUND: An anatomical gift is a donation of organs and tissues. Advancements in medicine make it possible to transplant twenty-five different human organs and tissues, including corneas, heart, liver, kidney, lungs, pancreas, bone and skin. Donations may also be used for research related to diseases, disabilities and injuries. As the success rate of transplants continues to increase, more anatomical gifts are needed. The demand for organs and tissues far exceeds the number of those currently available.

The Uniform Anatomical Gift Act was enacted in 1968 for the purpose of establishing comprehensive and uniform laws regarding organ and tissue donations. If an individual dies in a state other than that where the gift was executed, uncertainty about the applicable law is eliminated and the gift will be recognized. It was also designed to ensure compliance with the donor's wishes. All 50 states and the District of Columbia have adopted the Act, with some states making minor variations.

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This summary has not been adopted or officially endorsed by action of the committee.