

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Referred to the Committee on Ways and Means

Vote: 5 - 0 - 0

Yeas: Carter, Gordly, Kruse, Courtney, Monnes Anderson

Nays: 0

Exc.: 0

Prepared By: Shannon Strumpfer, Administrator

Meeting Dates: 5/23, 5/30

WHAT THE MEASURE DOES: Establishes a nine-member Task Force on Nontransplantable Anatomical Gift Donation, appointed by the legislature. 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:

- Industry is not currently being regulated
- Placement of task force
- Transparency

EFFECT OF COMMITTEE AMENDMENT: Removes Task Force appointment authority from Governor and places it at legislative branch. Allows Public Health Officer to appoint designee to serve in his/her place.

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.