

74th OREGON LEGISLATIVE ASSEMBLY - 2007 Regular Session
STAFF MEASURE SUMMARY
House Committee on Health Care

MEASURE: HB 3092 A
CARRIER: Rep. Kotek

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 2
Yeas:	Bonamici, Bruun, Cannon, Flores, Kotek, Maurer, Greenlick
Nays:	0
Exc.:	Gelser, Richardson
Prepared By:	Sandy Thiele-Cirka, Administrator
Meeting Dates:	4/10 (Policy sub), 4/17 (Policy sub), 4/20 (Full)

WHAT THE MEASURE DOES: Adopts provisions of the Revised Uniform Anatomical Gift Act of 2006.

ISSUES DISCUSSED:

- Role of donor registries
- Importance of individual's decision to donate organs and tissue for transplantation
- Need to align Oregon with federal law, current technology and advance medical directives
- The need to strengthen organ recovery agencies and protect the public/donors
- Review of the organ donation process
- Proposed amendments

EFFECT OF COMMITTEE AMENDMENT: Permits the Department of Human Services to allow an organ procurement organization to establish a donor registry and aligns language with existing statutes. Coordinates and authorizes the State Medical Examiner to provide transplantation information for therapy, research or education; strengthens relationship between medical examiner and procurement organization; clarifies individuals' ability to revoke or refuse to make anatomical gift. Expands to authorized persons, other than the donor, to include health care agent, parent or guardian, to make an anatomical gift on behalf of the donor if the donor is incapable of expressing his or her intent regarding withdrawal.

BACKGROUND: The National Conference of Commissioners on Uniform State Laws (NCCUSL) is an organization comprised of more than 300 lawyers, judges and law professors, appointed by the states as well as the District of Columbia, Puerto Rico and the U.S. Virgin Islands, to draft proposals for uniform and model laws on subjects where uniformity is desirable and practicable, and to work toward their enactment in legislatures.

The NCCUSL has been at the forefront of organ donation law since the promulgation of the original Uniform Anatomical Gift Act (UAGA) nearly four decades ago. In 2006, after more than two years of study, the NCCUSL promulgated the Revised UAGA (2006) as a replacement for both the 1968 and 1987 versions of the Act. The 2006 revision was prepared with the active participation of a range of stakeholders. The Revised UAGA facilitates donations and modernizes the Act to reflect changes in federal law and regulations governing organ procurement and allocation as well as changes in organ donation practices. Additionally, the Act brings needed uniformity where time is of the essence and might be wasted deciphering divergence in state laws.

5/9/2007 10:11:00 AM

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