

SENATE AMENDMENTS TO SENATE BILL 341

By COMMITTEE ON HEALTH POLICY AND PUBLIC AFFAIRS

April 6

1 Delete lines 4 through 20 of the printed bill and insert:

2 **“SECTION 1. (1) As used in this section and section 2 of this 2007 Act:**

3 **“(a) ‘Entity’ means an individual, corporation, business trust, partnership, limited liabil-**
4 **ity company, association, joint venture or an instrumentality of an entity.**

5 **“(b) ‘Eye bank’ means an entity that is licensed or regulated under federal or state law**
6 **to engage in the recovery, screening, testing, processing, storage or distribution of human**
7 **eyes or parts of human eyes.**

8 **“(c) ‘Health care facility’ has the meaning given that term in ORS 442.015.**

9 **“(d) ‘Organ procurement organization’ means an entity designated by the United States**
10 **Secretary of Health and Human Services as an organ procurement organization.**

11 **“(e) ‘Tissue bank’ means an entity that is licensed or regulated under federal or state law**
12 **to engage in the recovery, screening, testing, processing, storage or distribution of tissue for**
13 **transplants.**

14 **“(2) Tissue banks and eye banks must be registered with and regulated by the United**
15 **States Food and Drug Administration.**

16 **“(3) A health care facility that performs organ transplants must:**

17 **“(a) Be a member of the Organ Procurement and Transplantation Network established**
18 **by the National Organ Transplant Act of 1984;**

19 **“(b) Be regulated by the United States Department of Health and Human Services; and**

20 **“(c) Use an organ procurement organization to obtain organs for transplants.**

21 **“(4) A health care facility that performs tissue or corneal transplants must obtain the**
22 **tissue or corneas from a tissue bank or an eye bank that is registered with and regulated**
23 **by the United States Food and Drug Administration.**

24 **“SECTION 2. (1) The Department of Human Services shall adopt by rule standards and**
25 **a system of registration for every organ procurement organization, tissue bank and eye bank**
26 **doing business in this state.**

27 **“(2) An organ procurement organization, tissue bank or eye bank may not do business**
28 **in this state unless it has registered with the department.**

29 **“(3) Each organ procurement organization, tissue bank and eye bank shall provide to the**
30 **department at least every three years current documentation of designation, certification**
31 **and inspection as evidence of compliance with national standards and requirements under**
32 **federal law.**

33 **“(4) The department may impose a civil penalty not to exceed \$1,000 against an organ**
34 **procurement organization, tissue bank or eye bank doing business in this state for failure**
35 **to:**

1 “(a) Register with the department;
2 “(b) Report loss of designation, accreditation or certification within 60 days of the loss;
3 or
4 “(c) Supply the department with requested current documentation of designation, certifi-
5 cation and inspection.
6 “(5) Civil penalties under this section shall be imposed in the manner provided under ORS
7 183.745.
8 “SECTION 3. Each organ procurement organization, tissue bank and eye bank doing
9 business in this state must register with the Department of Human Services within 30 days
10 after the operative date of section 2 of this 2007 Act.
11 “SECTION 4. Section 2 of this 2007 Act becomes operative on July 1, 2008.”.
12
