

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	3 - 0 - 2
Yeas:	Kruse, Morrisette, Monnes Anderson
Nays:	0
Exc.:	Bates, Morse
Prepared By:	Robert Shook, Administrator
Meeting Dates:	4/30

WHAT THE MEASURE DOES: Prohibits any person other than anatomical gift donor or parent of unemancipated minor from revoking anatomical gift designated on driver license or state identification card. Declares that an anatomical gift on driver's license or state identification card is conclusively presumed valid. Applies to donor designations on driver license or state identification card issued by Oregon or any other state after measure's effective date.

ISSUES DISCUSSED:

- Ability of hospitals or mortuaries to harvest organs immediately upon death of person
- Honoring the desire of donor in donating organs
- Number of persons waiting for organ transplant

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Uniform Anatomical Gifts Act (UAGA) was created in 1968 to apply the same standards for anatomical donations nationwide. UAGA has been amended several times over the years, with the 2006 revisions being the most significant. Under this version, the concept of "first-person consent" was introduced, which states that no other person may revoke or amend an individual's decision to donate his or her anatomical gift of body, body part or organ. The 1987 UAGA purported to adopt that concept through language making an individual's gift "irrevocable," but in practice, some procurement organizations reportedly ignored the wishes of a donor if surviving family members objected.

Except in the case of unemancipated minors, Oregon's uniform Anatomical Gifts Act currently has language prohibiting survivors from amending or revoking an anatomical gift from the donor, unless they can show a contrary indication by the donor as stated in ORS 97.963 (1). House Bill 3055 makes amendments or revocations by survivors more difficult by specifying that an anatomical gift on a driver license or state identification card is conclusively presumed valid.