



Oregon

Kate Brown, Governor

Department of Transportation

Director's Office

355 Capitol St. NE, MS 11

Salem, OR 97301

DATE: January 30, 2019

TO: Senate Committee on Health Care

FROM: Amy Joyce, Legislative Liaison

SUBJECT: SB 144

INTRODUCTION

The Driver and Motor Vehicle Division (DMV) of the Department of Transportation provides the opportunity for customers to indicate they want to be an anatomical donor, and indicates that on their driver license or ID card. DMV is required by law to provide donor information to the state's donor registry and to any procurement organization. SB 144 adds whole body procurement organizations to the definition of "procurement organizations."

BACKGROUND

Current law allows Oregonians to indicate their desire to make an anatomical gift by having a donor designation placed on their driver license or identification card. An anatomical gift includes donation of all or part of the human body, for purposes of transplantation, therapy, research, or education. Nearly 1.9 million current Oregon card holders have chosen the donor code.

All applications for driver licenses, instruction permits and identification cards include the question, "Do you want your license or ID card to show that you are an anatomical donor?" The donor designation is added or removed based on the answer given. Customers do not have the option to place restrictions on their donation, such as limiting the donation to specific organs or denying use for research.

Upon issuance of a driver license, instruction permit or ID card, a notation is added to the customer information as a "D" restriction (Anatomical Donor), which is displayed on the front and back of the card. Credentials issued with the new card design beginning December 2018 feature a symbol on the card front.

DMV field offices have brochures available for customers with information concerning organ, eye, and tissue donations, transplantations, and the donor registry. This literature is provided by Donate Life Northwest. Information on anatomical donation beyond how to add the indicator to a customer record is not part of DMV's standard staff training. Customers with additional questions not covered by print materials are directed to contact Donate Life Northwest. Customers who wish to place restrictions on their anatomical donation are directed to Donate Life Northwest's website for their online donor registry. DMV does not currently provide any information on whole body donation options.

Current law requires DMV to electronically transmit donor information to the organ procurement agency that is designated by the Oregon Health Authority as the donor registry for the state of Oregon. Pacific Northwest Transplant Bank (PNTB), which is administered by OHSU, is the designated donor registry. Every week DMV electronically transfers to PNTB the name, address, and date of birth of those DMV customers who chose to become anatomical donors. Current law also requires DMV to provide a “procurement organization” reasonable access to donor information, and defines “procurement organization” as the organ procurement organization, an eye bank, or a tissue bank.

The Oregon Constitution limits the use of the State Highway Fund. Work related to anatomical donation is not an allowable use of State Highway Funds. Consequently, costs to administer the Oregon Donor Program are paid out of the Transportation Operating Fund (TOF). The cost of providing records to procurement agencies is recovered through the fees charged to the qualified records recipients.

DISCUSSION

SB 144 adds whole body donation organizations to the definition of “procurement organizations.” DMV must provide reasonable access to donor information, regarding people at or near death, when requested by a procurement organization. Therefore, as procurement organizations, whole body donation organizations would be eligible to receive specific donor information from DMV when requested. DMV’s information provided to the donor registry is also accessible by procurement organizations.

SB 144 does not require DMV to collect any additional information, such as whether a person wants to donate only to living persons needing organ donation or only their body for research and education. Therefore DMV would not provide multiple options or put different notations on the face of a driver license or ID card beyond the current anatomical donor designation. DMV will continue to refer customers to the appropriate agencies if they have questions.

DMV will continue to transmit donor information to the donor registry. As procurement organizations, whole body donation organizations will have access to DMV data via the donor registry to ascertain whether or not a person is a donor.

SUMMARY

SB 144 adds whole body donation organizations to the definition of “procurement organizations.” DMV will continue to capture the anatomical donor indicator and display it on driver license and ID cards, and transmit donor information to the designated donor registry. DMV will not add different donation options to its forms. DMV is required to provide reasonable access to donor information to any procurement organization. Questions regarding organ donation and whole body donation may be posed to DMV staff, and will be referred to the appropriate agencies. DMV acquired data will be available to procurement organizations including whole body procurement organizations through the donor registry.