

## **CORRECTING THE RECORD ON SENATE BILL 144 (Whole Body Donation)**

**FALSE CLAIM:** This bill grants for-profit body donation organizations access to the registry related to organ, eye and tissue procurement for transplant. It redefines “procurement organization” to include “body donation organization,” giving for-profit companies access to referrals from hospitals of individuals near death. The legislation also alters the limitations on what can be done with donated bodies or body parts to include undefined “other purposes.”

**FALSE CLAIM:** Dismantles the current life-saving registry: Oregonians who have consented to donation through the current registry system have not consented to whole body donation. To meet the high ethical obligation of organ, eye, and tissue donation, Oregon would need to wipe the current system which consists of more than 2.5 million Oregonians, and re-register current anatomical donors to the new system if SB 144 was implemented.

**FALSE CLAIM:** Compensation for Donation: The redefinition of procurement organizations to include body donation organizations would give for-profit companies the ability to approach donor families and offer compensation, in the form of free cremation, for a donation which goes against the definition of a gift – “a voluntary... and uncompensated transfer.”

**FALSE CLAIM:** Confusing to Oregonians Who Wish to Donate: Organ, eye and tissue donation for transplant and body donation for research are two separate considerations for Oregonians and require two different consent options. Combining the two is confusing to Oregonians as they consider making the ultimate gift.

**FALSE CLAIM:** Potential to Reduce the Availability of Life-Saving Organs: If Oregonians are confused about what they are consenting or they don't want to donate to research, this could make them less likely to donate at all, reducing the number of organs and tissues available for transplant. Additionally, for-profit companies can offer services that non-profit transplant programs, by law, can't, such as free cremation. This could lead to families choosing body donation instead of life saving organ and tissue donation.

**FALSE CLAIM:** Violation of the Public's Trust: Donor Information in the registry is stored in a secure database, accessible only to authorized organ, eye and tissue recovery personnel. The law prohibits donor registry information from being shared with any company or government agency. Redefining the meaning of procurement organizations to include body donation organizations would violate the trust that has been built with the public since the inception of the donor registry.

**FALSE CLAIM:** Oregon as an Outlier: The Uniform Anatomical Gift Act (UAGA) unifies state registries throughout the nation. By changing the Oregon UAGA to include whole body donation the Oregon registry will be unlike any other state's registry. This would complicate the donation process in terms of the allocation of organs, eyes, and tissue.

**FALSE CLAIM:** SB 144 creates confusion and inconsistency, undercutting the long and hard work of stakeholders who assembled as a team in the development of the UAGA with a shared commitment to the improvement of organ and tissue donation for transplant.

**TRUE FACT:** SB 144 does not grant whole body donation organizations or anyone access to any current organ donor registry. We support a “life first” approach that encourages Oregonians to consider live organ/eye/tissue donations first, and also encourages them to consider whole body donation for scientific research as a second option. This bill enables the Oregon Health Authority to safeguard Oregonians from unsafe and unethical industry actors by requiring whole body donation organizations operating in Oregon to be accredited by a nationally-recognized agency like the American Association of Tissue Banks (which also accredits transplant organizations). Body donation organizations already have access to referrals from hospitals. The bill makes no change to what can be done with donated bodies.

**TRUE FACT:** SB 144 makes no changes to the current organ/eye/tissue donor registry. Oregonians will have the opportunity to learn about and contribute to medical research and technologies that save lives, decrease healing times, prevent patient pain, and educate the next generation of medical professionals. SB 144 does not opt anyone into any donation; every donor must specify consent for any anatomical donation. Whole body donation organizations are not seeking and will not receive access to the current organ donor registry. DMV will provide a second registration option so Oregonians can make informed decisions. Individuals will remain free to restrict their donations in any way.

**TRUE FACT:** SB 144 makes no changes to compensation for donation. Accredited whole body donation organizations cannot provide compensation and third party auditors regularly inspect to confirm compliance. Free body transportation and cremation is currently and will continue to be offered by whole body donation organizations. Cremation ensures that donors are treated with dignity.

**TRUE FACT:** SB 144 does not create confusion, but simply increases regulation of the industry as well as donor education and options. Just as the current organ/eye/tissue registry provides options to designate specific organs, SB 144 will help educate donors about the additional option of whole body donation for scientific research. Donor wills, advance directives, and health care powers of attorney are requested and reviewed by accredited whole body donation programs before acceptance to ensure that a donor's wishes are followed. If any registry or legal documentation indicates that a donor wants to be a live organ donor, that request always take precedence over whole body donation.

**TRUE FACT:** SB 144 does not reduce the availability of life-saving organs. On the contrary, better educating Oregonians about both organ/eye/tissue and whole body donation options should increase participation in every option – strengthening both live transplants and medical research/advances. Many donors may select every option, since whole body donation programs often accept individuals who have already donated corneas or other live tissues. Oregonians have the right to know about all options and select the option(s) they desire.

**TRUE FACT:** SB 144 does not violate anyone's trust. It doesn't include whole body donors in or share any information from the organ/eye/tissue registry.

**TRUE FACT:** Oregon has always been a progressive leader among states. We can lead again by not only continuing to encourage Oregonians to consider live organ/eye/tissue donation, but also encouraging scientific and educational advancement through whole body donation.

**TRUE FACT:** SB 144 does not create confusion or inconsistency. Adding education and designation options with a separate whole body donation registry will result in better information and more choices for Oregonians. Most people don't know that they can donate their whole body to scientific research and avoid bearing cremation costs. Oregonians should be free to know about and select the donation option(s) that work best for them and their families.

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