

MEMO



JAN 24 2011

Senate of Pennsylvania

January 21, 2011

TO: ALL SENATORS

FROM: Stewart J. Greenleaf

Stewart

SUBJECT: Cosponsorship – **Donate Life PA Act**

I am introducing the Donate Life PA Act, amending the Probate, Estates and Fiduciaries Code, Title 20 of the Pennsylvania Consolidated Statutes, to update and revise the law relating to organ and tissue donations. The legislation establishes a comprehensive framework for public education about organ and tissue donations; clarifies the methods for making anatomical donations; and updates the law to reflect the best clinical practices to support anatomical donations for transplantations.

Though many aspects of the donation, allocation and transplantation of anatomical gifts are subject to federal law, it is state law that primarily governs the actual gifting and donation of these life saving and life enhancing organs and tissues. In 1994 the General Assembly enacted Act 102 which at the time set the standard nationwide for states to promote and support anatomical donations. Under Act 102 Pennsylvania routinely has been one of the leading states in numbers of donations and transplants. However, since 2006, 43 states, including most of our neighboring states, have passed an updated Uniform Anatomical Gift Act. The revised uniform law further standardizes the donation process and seeks to increase the number of organs available for donation without further burdening states and healthcare facilities.

In Pennsylvania, statewide education and awareness initiatives are developed and sponsored by the Organ and Tissue Donation Advisory Committee (OTDAC) in collaboration with various nonprofit organizations and executive agencies collectively referred to as the Organ and Tissue Donor Awareness Program (OTDAP). In 2006 the Legislative Budget and Finance Committee (LBFC) was directed to evaluate the OTDAP. The LBFC made 26 recommendations many of which have been incorporated into this legislation.

The Donate Life PA Act provides for education about organ and tissue donation in secondary schools, as well as at medical and nursing schools; incorporates provisions of the revised Uniform Anatomical Gift Act; updates provisions relating to the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund and the OTDAC; reinforces the priority of transplantation in the law and affirms that anatomical donations must be initially referred to a federally-designated organ procurement agency to ensure the donations are subject to regulatory oversight; and encourages the cooperation of medical examiners and coroners with organ procurement organizations.

The legislation will support Pennsylvania's position as a national and international leader in organ and tissue donations and transplantations. With more than 8,000 patients awaiting a life saving organ transplant in Pennsylvania and thousands of others who benefit from life enhancing tissue transplants, this legislation is necessary to assist in addressing this public health crisis.

During the 2009-2010 legislative session, this legislation was introduced as House Bill 2700.

If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at psnively@pasen.gov.