

PROHIBITING TRANSFER OF HUMAN ORGANS FOR CONSIDERATION

Act of Dec. 18, 1984, P.L. 1064, No. 210

Cl. 35

AN ACT

Prohibiting the transfer of certain human organs and tissues for valuable consideration.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Prohibition of organ and nonregenerative tissue purchases.

(a) General rule.--It is unlawful for any person to knowingly acquire, receive, transfer or in any way facilitate the transfer for transplantation or other medical therapy any human organ or nonregenerative tissue for valuable consideration.

(b) Penalty.--Any person who violates subsection (a) commits a misdemeanor of the first degree and, upon conviction, shall be fined not more than \$50,000 or imprisoned not more than five years, or both.

(c) Definitions.--As used in this section the following words and phrases shall have the meanings given to them in this subsection:

"Human organ." The human kidney, liver, heart, lung, pancreas or any other vital human organ from living or cadaveric providers.

"Nonregenerative tissue." Includes eyes, corneas, bones, cartilage and other tissue not normally renewable by the human body. The term specifically excludes such regenerative tissues as human blood and blood products, in vitro preparations of human cells, sperm and other tissues readily renewable by the human body.

"Valuable consideration." Does not include the reasonable costs associated with the medical evaluation, removal, preservation and transportation of human organs and tissues for transplantation or other medical therapy, but includes any other consideration of value given or received.

Section 2. Effective date.

This act shall take effect immediately.