

Summary of Concerns Related to SB 282

*We strongly oppose Senate Bill 282, specifically, amendment to Section 194.265.12, which govern the actions that can be taken by an Organ Procurement Organization (OPO) when an individual is at or near death. We ask that you recommend the Bill **does not pass out of Committee.***

The proposed amendment to Section 194.265.12 threaten the long-established framework created by federal regulations that emphasize the critical relationship between hospitals and OPOs. The Bill requires hospitals to inform OPOs when the hospital has knowledge of a patient's objection to organ donation, and bars OPOs from approaching potential donors. This language does not exist in any law promulgated by any of the 50 states, as the OPOs are the federally-designated organizations empowered to have the authorization (for donation) discussion with a decedent's family members.

TAKEAWAY:

SB 282 contradicts federal regulations and undermines the effective and ethical partnerships between hospitals and OPOs, which ultimately threatens the ability of the OPO to secure an authorization for donation.

Research has demonstrated across the United States that trained requestors lead to higher authorization rates which lead to an increase in the number of graphs available for transplant. SB 282 blurs the boundary between the hospital and the requestor by allowing hospitals to have discretion as to what constitutes a patient's objection to organ donation. Hospital staff are not trained to evaluate patients for donation options, offer donation options or answer questions about the process, nor are they trained to interpret authorization or refusal for donation.

TAKEAWAY:

SB 282 will potentially lower authorization rates, placing the lives of thousands of Missourians at risk. Any regulation that decreases the number of transplants should not be adopted.

SB 282 places an unreasonable burden on hospitals to determine how to implement and effectively carry out the requirement to notify an OPO of knowledge of a patient's objection to organ donation.

TAKEAWAY:

SB 282 will place an unnecessary burden on hospitals and potentially place them in violation of federal regulation.

Mid-America Transplant and Midwest Transplant Network, in conjunction with every hospital in Missouri, works hard every day to save the lives of the 2,000 Missourians awaiting a life-saving transplant and thousands more awaiting life-changing tissue transplants by supporting families to make the decision to honor their loved one by saying "yes" to organ and tissue donation

TAKEAWAY:

SB 282 interferes with this work by placing unnecessary barriers to authorization and will result in fewer lives saved and healed through donation.