

BILL SUMMARY
1st Session of the 52nd Legislature

Bill No.:	SB 622
Version:	FULLPCS 1
Author:	Sen. Coffee/Rep. Cox
Date:	March 23, 2009
Impact:	\$0

Bill Summary

Research Analyst: Dante Giancola

The proposed committee substitute for SB622 adds Section 4 to the engrossed version, which creates the Uniform Anatomical Gift Act (UAGA). Section 4 spells out who may make an anatomical gift.

The purpose of UAGA is to further improve the system for allocating organs to transplant recipients. The scope of this Act is limited to donations from deceased donors as a result of gifts made before or after their deaths. Major points of this Act include:

- Simplifying the document of gift (donor card) by accommodating the forms commonly found on the backs of driver's licenses in the United States;
- Strengthening the power of a person to not donate his or her parts by permitting he/she to sign a refusal that also bars others from making a gift of his/her parts after death;
- Allowing certain individuals to make an anatomical gift for another individual during that individual's lifetime;
- Adding several new classes of persons to the list of those who may make an anatomical gift for another individual after that individual's death;
- Adopting clear rules and procedures to provide clarity to the decision-making process. For example, if more than one member of a class is reasonably available, the donation is made only if a majority of members support the donation;
- Encouraging and establishing standards for donor registries;
- Better enabling procurement organizations to gain access to documents of gift in donor registries, medical records, and records of a state motor vehicle department;
- Clarifying rules relating to cooperation and coordination between procurement organizations on the one hand and medical examiners on the other;
- Prohibiting medical examiners from making anatomical gifts;
- Making it a felony offense for falsifying a document of gift. Punishment is up to 5 years/\$50,000 fine or both;
- Providing civil/criminal immunity to a person acting in accordance with the Act or with the applicable anatomical gift law of another state, or who attempts to do so in good faith.

Source: Uniform Law Commission

Fiscal Summary

Fiscal Analyst: Mark Newman

The FULLPCS1 for SB 622 creates the Oklahoma Uniform Anatomical Gift Act in Title 63. This legislation defines the terms and conditions for the donation of anatomical gifts, any exemptions and criteria for the revocation of an anatomical gift, and the requirements of the Oklahoma State Department of Health (OSDH) and the Department of Public Safety (DPS) in establishing the protocol for identifying donors and the proper handling of anatomical gifts. The FULLPCS1 for SB 622 also contains amendatory language related to eye banks.

Fiscal Analysis

Based on information provided by OSDH, the Oklahoma Uniform Anatomical Gift Act will not require any addition personnel or appropriated dollars. The FULLPCS1 for SB 622 will have no fiscal impact on state funds or appropriations.

Long Term Fiscal Considerations

None

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director