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February 20, 2017

By: Treat

An Act relating to organ donation and procurement; amending 63 O.S. 2011, Section 2151.1, which relates to certain restrictions; permitting procurement of certain specimens under certain circumstances; clarifying language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2011, Section 2151.1, is amended to read as follows:

Section 2151.1. No ~~human sperm, tissue or organ~~ reproductive tissue shall be procured for donation purposes from any person testing positive for the human immunodeficiency virus infection. Organ and tissue may be procured for donation purposes from any person testing positive for the human immunodeficiency virus (HIV) infection provided such procurement and donation are consistent with the HIV Organ Policy Equity (HOPE) Act (P.L. 113-51, 127 Stat. 579 (2013)) and the regulations promulgated thereunder by the Organ Procurement and Transplantation Network and the United States Food and Drug Administration.

1 1. Every donor, donor candidate or tissue or organ to be
2 donated shall be tested for ~~said~~ the virus infection immediately
3 prior to the donation of ~~sperm~~, reproductive tissue or ~~tissues~~
4 tissue or organs for transplant. If such test has not been
5 conducted immediately prior to the donation, then the test shall be
6 conducted immediately prior to the implantation of the donor organ
7 or tissue.

8 2. If the donor is living, the donor shall be notified of the
9 test results. Notification shall be consistent with donor
10 confidentiality and with the requirements of state and federal law.
11 The hospital or other facility responsible for the ~~sperm~~
12 reproductive tissue, tissue or organ donation shall provide directly
13 or otherwise make available appropriate information and counseling
14 services to ~~sperm~~ reproductive tissue donors and to living tissue or
15 organ donors.

16 SECTION 2. This act shall become effective November 1, 2017.

17 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
18 February 20, 2017 - DO PASS
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