

110TH CONGRESS
2D SESSION

H. R. 7198

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 17), 2008

Received

AN ACT

To establish the Stephanie Tubbs Jones Gift of Life Medal
for organ donors and the family of organ donors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stephanie Tubbs Jones
3 Gift of Life Medal Act of 2008”.

4 **SEC. 2. ELIGIBILITY REQUIREMENTS FOR STEPHANIE**
5 **TUBBS JONES GIFT OF LIFE MEDAL.**

6 (a) IN GENERAL.—Subject to the provisions of this
7 section and the availability of funds under this Act, any
8 organ donor, or the family of any organ donor, shall be
9 eligible for a Stephanie Tubbs Jones Gift of Life Medal
10 (hereafter in this Act referred to as a “medal”).

11 (b) DOCUMENTATION.—The Secretary of Health
12 and Human Services shall direct the entity operating the
13 Organ Procurement and Transplantation Network to—

14 (1) establish an application procedure requiring
15 the relevant organ procurement organization
16 through which an individual or family of the indi-
17 vidual made an organ donation, to submit to such
18 entity documentation supporting the eligibility of the
19 individual or the family, respectively, to receive a
20 medal;

21 (2) determine through the documentation pro-
22 vided and, if necessary, independent investigation
23 whether the individual or family, respectively, is eli-
24 gible to receive such a medal; and

25 (3) arrange for the presentation to the relevant
26 organ procurement organization all medals struck

1 pursuant to section 4 to individuals or families that
2 are determined to be eligible to receive medals.

3 (c) LIMITATION.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), only 1 medal may be presented to a fam-
6 ily under subsection (b). Such medal shall be pre-
7 sented to the donating family member, or in the case
8 of a deceased donor, the family member who signed
9 the consent form authorizing, or who otherwise au-
10 thorized, the donation of the organ involved.

11 (2) EXCEPTION.—In the case of a family in
12 which more than 1 member is an organ donor, a
13 medal may be presented for each such organ donor.

14 **SEC. 3. SOLICITATION OF DONATIONS; PROHIBITION ON**
15 **USE OF FEDERAL FUNDS.**

16 (a) IN GENERAL.—The Organ Procurement and
17 Transplantation Network may collect funds to offset ex-
18 penditures relating to the issuance of medals authorized
19 under this Act.

20 (b) PAYMENT OF FUNDS.—

21 (1) IN GENERAL.—Except as provided in para-
22 graph (2), all funds received by the Organ Procure-
23 ment and Transplantation Network under subsection
24 (a) shall be promptly paid by the Organ Procure-
25 ment and Transplantation Network to the Secretary

1 of Health and Human Services for purposes of pur-
2 chasing medals under this Act for distribution and
3 paying the administrative costs of the Secretary of
4 Health and Human Services and the Secretary of
5 the Treasury in carrying out this Act.

6 (2) LIMITATION.—Not more than 7 percent of
7 any funds received under subsection (a) may be used
8 to pay administrative costs, and fundraising costs to
9 solicit funds under subsection (a), incurred by the
10 Organ Procurement and Transplantation Network in
11 carrying out this Act.

12 (c) PROHIBITION ON USE OF FEDERAL FUNDS.—No
13 Federal funds (including amounts appropriated for use by
14 the Organ Procurement and Transplantation Network)
15 may be used for purposes of carrying out this Act, includ-
16 ing purchasing medals under this Act or paying the ad-
17 ministrative costs of the Secretary of Health and Human
18 Services or the Secretary of the Treasury in carrying out
19 this Act.

20 **SEC. 4. DESIGN AND PRODUCTION OF MEDAL.**

21 (a) IN GENERAL.—Subject to the provisions of this
22 section, the Secretary of the Treasury shall design and
23 strike the Stephanie Tubbs Jones Gift of Life Medals,
24 each of which shall—

25 (1) weigh 250 grams;

1 (2) have a diameter of 3 inches; and

2 (3) consist of bronze.

3 (b) DESIGN.—

4 (1) IN GENERAL.—The design of the medals
5 shall commemorate the compassion and courage
6 manifested by and the sacrifices made by organ do-
7 nors and their families, and the medals shall bear
8 suitable emblems, devices, and inscriptions.

9 (2) SELECTION.—The design of medals struck
10 under this section shall be—

11 (A) selected by the Secretary of the Treas-
12 ury, in consultation with the Secretary of
13 Health and Human Services, the Organ Pro-
14 curement and Transplantation Network, inter-
15 ested members of the family of Stephanie
16 Tubbs Jones, Dr. William H. Frist, and the
17 Commission of Fine Arts; and

18 (B) reviewed by the Citizens Coin Advisory
19 Committee.

20 (c) NATIONAL MEDALS.—The medals struck pursu-
21 ant to this section are national medals for purposes of
22 chapter 51 of title 31, United States Code.

23 (d) STRIKING AND DELIVERY OF MINIMUM-SIZED
24 LOTS.—The Secretary of the Treasury shall strike and de-
25 liver to the Secretary of Health and Human Services no

1 fewer than 100 medals at any time pursuant to an order
2 by such Secretary.

3 (e) COST OF MEDALS.—Medals struck under this sec-
4 tion and sold to the Secretary of Health and Human Serv-
5 ices for distribution in accordance with this Act shall be
6 sold to the Secretary of Health and Human Services at
7 a price sufficient to cover the cost of designing and strik-
8 ing the medals, including labor, materials, dies, use of ma-
9 chinery, and overhead expenses.

10 (f) NO EXPENDITURES IN ADVANCE OF RECEIPT OF
11 FUND.—

12 (1) IN GENERAL.—The Secretary of the Treas-
13 ury shall not strike or distribute any medals under
14 this Act until such time as the Secretary of Health
15 and Human Services certifies that sufficient funds
16 have been received by such Secretary to cover the
17 cost of the medals ordered.

18 (2) DESIGN IN ADVANCE OF ORDER.—Notwith-
19 standing paragraph (1), the Secretary of the Treas-
20 ury may begin designing the medal at any time after
21 the date of the enactment of this Act and take such
22 other action as may be necessary to be prepared to
23 strike such medals upon receiving the certification
24 described in such paragraph, including preparing
25 dies and striking test pieces.

1 **SEC. 5. MEDALS NOT TREATED AS VALUABLE CONSIDER-**
2 **ATION.**

3 A medal under this Act shall not be treated as valu-
4 able consideration for purposes of section 301(a) of the
5 National Organ Transplant Act (42 U.S.C. 274e(a)).

6 **SEC. 6. DEFINITIONS.**

7 For purposes of this Act:

8 (1) **ORGAN.**—The term “organ” has the mean-
9 ing given such term in section 121.2 of title 42,
10 Code of Federal Regulations.

11 (2) **ORGAN PROCUREMENT ORGANIZATION.**—
12 The term “organ procurement organization” means
13 a qualified organ procurement organization de-
14 scribed in section 371(b)(1) of the Public Health
15 Service Act (42 U.S.C. 273(b)(1)).

16 (3) **ORGAN PROCUREMENT AND TRANSPLAN-**
17 **TATION NETWORK.**—The term “Organ
18 Procurement and Transplantation Network” means
19 the Organ Procurement and Transplantation Net-

1 work established under section 372 of the Public
2 Health Service Act (42 U.S.C. 274).

Passed the House of Representatives September 29,
2008.

Attest: LORRAINE C. MILLER,
Clerk.