

114TH CONGRESS
1ST SESSION

S. 1435

To amend the Public Health Service Act to promote awareness of organ donation and the need to increase the pool of available organs.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2015

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to promote awareness of organ donation and the need to increase the pool of available organs.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Organ Donation
5 Awareness and Promotion Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) In May 2015, over 123,400 individuals were
9 on the official waiting list for organ donation man-

1 aged by the Organ Procurement and Transplan-
2 tation Network.

3 (2) In 2014, the most recent year for which
4 complete data are available, 14,413 individuals be-
5 came organ donors leading to 29,531 transplants,
6 while 6,198 individuals died while waiting for a
7 transplant.

8 (3) On average, 21 people die every day of
9 every year while waiting for an organ donation.

10 (4) Over 100,000,000 people in the United
11 States are registered to be organ and tissue donors,
12 yet the demand for donated organs still outweighs
13 the supply of organs made available each day.

14 (5) Many people do not know about their op-
15 tions for organ and tissue donation, or have not
16 made their wishes clear to their families.

17 (6) Organ and tissue donation can give mean-
18 ing to the tragic loss of a loved one by enabling up
19 to eight people to receive the gift of life from a sin-
20 gle deceased donor.

21 (7) Living donors can donate a kidney or a por-
22 tion of a lung or liver to save the life of another in-
23 dividual.

1 **SEC. 3. SENSE OF CONGRESS.**

2 (a) PUBLIC AWARENESS OF NEED FOR ORGAN DO-
3 NATION.—It is the sense of Congress that the Federal
4 Government should carry out programs to educate the
5 public with respect to organ donation, including the need
6 to provide for an adequate rate of such donations.

7 (b) FAMILY DISCUSSIONS OF ORGAN DONATIONS.—
8 It is the sense of Congress that individuals pledging to
9 share their lives as organ and tissue donors should be hon-
10 ored, and the importance of discussing an individual's
11 wishes regarding organ and tissue donation with family
12 members should be encouraged.

13 (c) DECEASED DONATIONS OF ORGANS.—It is the
14 sense of Congress to—

15 (1) recognize the generous gift of life provided
16 by individuals who indicate their wish to become
17 organ donors;

18 (2) acknowledge the grief of families facing the
19 loss of a loved one; and

20 (3) commend those families who, in their grief,
21 choose to donate the organs of their deceased family
22 member.

23 (d) LIVING DONATIONS OF ORGANS.—It is the sense
24 of Congress to—

1 (1) recognize the generous contribution made
2 by each living individual who has donated an organ
3 to save a life;

4 (2) acknowledge the advances in medical tech-
5 nology that have enabled organ transplantation with
6 organs donated by living individuals to become a via-
7 ble treatment option for an increasing number of pa-
8 tients; and

9 (3) commend the medical professionals and
10 organ transplantation experts who have worked to
11 improve the process of living organ donation and in-
12 crease the number of living donors.

13 **SEC. 4. ORGAN DONATION PUBLIC AWARENESS PROGRAM,**
14 **STUDIES AND DEMONSTRATIONS.**

15 Section 377A of the Public Health Service Act (42
16 U.S.C. 274f–1) is amended to read as follows:

17 **“SEC. 377A. PUBLIC AWARENESS; STUDIES AND DEM-**
18 **ONSTRATIONS.**

19 “(a) ORGAN DONATION PUBLIC AWARENESS PRO-
20 GRAM.—The Secretary shall, directly or through grants or
21 contracts, establish a public education program in co-
22 operation with existing national public awareness cam-
23 paigns to increase awareness about organ donation and
24 the need to provide for an adequate rate of such donations.

1 “(b) STUDIES AND DEMONSTRATIONS.—The Sec-
2 retary may make peer-reviewed grants to, or enter into
3 peer-reviewed contracts with, public and nonprofit private
4 entities for the purpose of carrying out studies and dem-
5 onstration projects to increase organ donation and recov-
6 ery rates, including living donation.

7 “(c) GRANTS TO STATES.—

8 “(1) IN GENERAL.—The Secretary may make
9 grants to States for the purpose of assisting States
10 in carrying out organ donor awareness, public edu-
11 cation, and outreach activities and programs de-
12 signed to increase the number of organ donors with-
13 in the State, including living donors.

14 “(2) ELIGIBILITY.—To be eligible to receive a
15 grant under this subsection, a State shall—

16 “(A) submit an application to the Depart-
17 ment in the form prescribed;

18 “(B) establish yearly benchmarks for im-
19 provement in organ donation rates in the State;
20 and

21 “(C) report to the Secretary on an annual
22 basis a description and assessment of the
23 State’s use of funds received under this sub-
24 section, accompanied by an assessment of ini-
25 tiatives for potential replication in other States.

1 “(3) USE OF FUNDS.—Funds received under
 2 this subsection may be used by the State, or in part-
 3 nership with other public agencies or private sector
 4 institutions, for education and awareness efforts, in-
 5 formation dissemination, activities pertaining to the
 6 State donor registry, and other innovative donation
 7 specific initiatives, including living donation.

8 “(d) EDUCATIONAL ACTIVITIES.—The Secretary, in
 9 coordination with the Organ Procurement and Transplan-
 10 tation Network and other appropriate organizations, shall
 11 support the development and dissemination of educational
 12 materials to inform health care professionals and other ap-
 13 propriate professionals in issues surrounding organ, tis-
 14 sue, and eye donation including evidence-based proven
 15 methods to approach patients and their families, cultural
 16 sensitivities, and other relevant issues.

17 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 18 are authorized to be appropriated—

19 “(1) for the Organ Donation Public Awareness
 20 Program under subsection (a), \$5,000,000 for each
 21 of fiscal years 2015 through 2019;

22 “(2) for the studies and demonstrations under
 23 subsection (b), \$5,000,000 for each of fiscal years
 24 2015 through 2019;

1 “(3) for the grants to States under subsection
2 (c), \$5,000,000 for each of fiscal years 2015
3 through 2019; and

4 “(4) for the educational activities under sub-
5 section (d), \$5,000,000 for each of fiscal years 2015
6 through 2019.”.

○