

110TH CONGRESS
2D SESSION

S. 3530

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22 (legislative day, SEPTEMBER 17), 2008

Mr. BROWN introduced the following bill; which was read twice and referred
to the Committee on Banking, Housing, and Urban Affairs

A BILL

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,*

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Stephanie Tubbs Jones Gift of Life Medal Act of 2008”.

6 (b) FINDINGS.—The Congress makes the following
7 findings:

8 (1) Congresswoman Stephanie Tubbs Jones was
9 dedicated to eliminating health disparities and pro-
10 tecting vulnerable populations.

1 (2) Through her service on the Committee on
2 Ways and Means, Subcommittee on Health, she was
3 a strong voice for those who were poor, elderly, ra-
4 cial and ethnic minorities, and disenfranchised.

5 (3) Congresswoman Stephanie Tubbs Jones'
6 concern for others was demonstrated by the decision
7 to donate her organs, so that as her life ended, the
8 lives of others continued.

9 (4) There are currently 99,625 candidates for
10 organ donation on the national transplant waiting
11 list. Every 16 minutes, a new name is added to such
12 list. Sixteen persons die each day waiting for a life
13 saving organ transplant.

14 (5) Minority populations account for nearly 50
15 percent of those on the national transplant waiting
16 list.

17 (6) Diseases that can lead to organ failure,
18 such as hypertension and diabetes, are found more
19 frequently in ethnic minority populations than in the
20 general population.

21 (7) While minorities donate organs in propor-
22 tion to their population, the rate of organ donations
23 fails to keep pace with the need for transplants in
24 the population. African-Americans, for example, rep-
25 resent about 13 percent of the population and 12

1 percent of organ donors, but comprise roughly 23
2 percent of individuals on national transplant waiting
3 list for kidney transplants.

4 (8) Transplantation success rates are higher
5 when organs are matched between people sharing
6 the same racial and ethnic background.

7 (9) Because of the disparities in the need for
8 organs, minorities are more likely to wait longer to
9 find a successful match and are more likely to be
10 sicker when an organ is found.

11 (10) An increase in minority organ donations
12 would decrease the waiting time and increase the
13 likelihood of successful transplantations for minori-
14 ties.

15 **SEC. 2. ELIGIBILITY REQUIREMENTS FOR STEPHANIE**
16 **TUBBS JONES GIFT OF LIFE MEDAL.**

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

22 (b) DOCUMENTATION.—The Secretary of Health and
23 Human Services shall direct the entity operating the
24 Organ Procurement and Transplantation Network to—

1 (1) establish an application procedure requiring
2 the relevant organ procurement organization
3 through which an individual or family of the indi-
4 vidual made an organ donation, to submit to such
5 entity documentation supporting the eligibility of the
6 individual or the family, respectively, to receive a
7 medal;

8 (2) determine through the documentation pro-
9 vided and, if necessary, independent investigation
10 whether the individual or family, respectively, is eli-
11 gible to receive such a medal; and

12 (3) arrange for the presentation to the relevant
13 organ procurement organization all medals struck
14 pursuant to section 4 to individuals or families that
15 are determined to be eligible to receive medals.

16 (c) LIMITATION.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), only 1 medal may be presented to a fam-
19 ily under subsection (b). Such medal shall be pre-
20 sented to the donating family member, or in the case
21 of a deceased donor, the family member who signed
22 the consent form authorizing, or who otherwise au-
23 thorized, the donation of the organ involved.

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

4 **SEC. 3. SOLICITATION OF DONATIONS.**

5 (a) IN GENERAL.—The Organ Procurement and
6 Transplantation Network may collect funds to offset ex-
7 penditures relating to the issuance of medals authorized
8 under this Act.

9 (b) PAYMENT OF FUNDS.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), all funds received by the Organ Procure-
12 ment and Transplantation Network under subsection
13 (a) shall be promptly paid by the Organ Procure-
14 ment and Transplantation Network to the Secretary
15 of Health and Human Services for purposes of pur-
16 chasing medals under this Act for distribution.

17 (2) LIMITATION.—Not more than 7 percent of
18 any funds received under subsection (a) may be used
19 to pay administrative costs, and fundraising costs to
20 solicit funds under subsection (a), incurred by the
21 Organ Procurement and Transplantation Network in
22 carrying out this Act.

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

24 (a) IN GENERAL.—Subject to the provisions of this
25 section, the Secretary of the Treasury shall design and

1 strike the Stephanie Tubbs Jones Gift of Life Medals,
2 each of which shall—

- 3 (1) weigh 250 grams;
- 4 (2) have a diameter of 3 inches; and
- 5 (3) consist of bronze.

6 (b) DESIGN.—

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

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

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

21 (B) reviewed by the Citizens Coin Advisory
22 Committee.

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

1 (d) STRIKING AND DELIVERY OF MINIMUM-SIZED
2 LOTS.—The Secretary of the Treasury shall strike and de-
3 liver to the Secretary of Health and Human Services no
4 fewer than 100 medals at any time pursuant to an order
5 by such Secretary.

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

13 (f) NO EXPENDITURES IN ADVANCE OF RECEIPT OF
14 FUNDS.—

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

21 (2) DESIGN IN ADVANCE OF ORDER.—Notwith-
22 standing paragraph (1), the Secretary of the Treas-
23 ury may begin designing the medal at any time after
24 the date of the enactment of this Act and take such
25 other action as may be necessary to be prepared to

1 strike such medals upon receiving the certification
 2 described in such paragraph, including preparing
 3 dies and striking test pieces.

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

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

9 **SEC. 6. DEFINITIONS.**

10 For purposes of this Act:

11 (1) **ORGAN.**—The term “organ” has the mean-
 12 ing given such term in section 121.2 of title 42,
 13 Code of Federal Regulations, as in effect on the date
 14 of the enactment of this Act.

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

20 (3) **ORGAN PROCUREMENT AND TRANSPLAN-**
 21 **TATION NETWORK.**—The term “Organ Procurement
 22 and Transplantation Network” means the Organ
 23 Procurement and Transplantation Network estab-

1 lished under section 372 of the Public Health Serv-
2 ice Act (42 U.S.C. 274).

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