

115TH CONGRESS
2^D SESSION

H. R. 5518

To amend the Public Health Service Act to establish a preference, in the allocation of donated organs, for individuals who are lawfully present in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2018

Mr. POSEY introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish a preference, in the allocation of donated organs, for individuals who are lawfully present in the United States, and for other purposes.

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. PREFERENCE FOR LAWFULLY PRESENT INDIVIDUALS IN THE ALLOCATION OF DONATED**
4 **ORGANS.**
5

6 (a) **ORGAN PROCUREMENT ORGANIZATIONS.**—Sub-
7 paragraph (E) of section 371(b)(3) of the Public Health

1 Service Act (42 U.S.C. 273(b)(3)) is amended to read as
2 follows:

3 “(E) have a system to allocate donated organs
4 equitably among transplant patients according to es-
5 tablished medical criteria and, in so allocating do-
6 nated organs, give preference to individuals who are
7 lawfully present in the United States over individ-
8 uals who are unlawfully present in the United
9 States,”.

10 (b) ORGAN PROCUREMENT AND TRANSPLANTATION
11 NETWORK.—Section 372(b)(2)(B) of the Public Health
12 Service Act (42 U.S.C. 274(b)(2)(B)) is amended to read
13 as follows:

14 “(B) establish membership criteria and medical
15 criteria for allocating organs, provide to members of
16 the public an opportunity to comment with respect
17 to such criteria, and include in such criteria a pref-
18 erence for allocating donated organs to individuals
19 who are lawfully present in the United States over
20 individuals who are unlawfully present in the United
21 States,”.

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