

115TH CONGRESS
2D SESSION

H. R. 6458

To amend the Public Health Service Act to revise and extend the national organ transplantation procurement program.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2018

Mr. RICE of South Carolina introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to revise and extend the national organ transplantation procurement program.

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 “National Organ Trans-
5 plant Act Amendments of 2018”.

6 **SEC. 2. ORGAN PROCUREMENT AND TRANSPLANTATION**
7 **NETWORK.**

8 (a) IN GENERAL.—Section 372(b) of the Public
9 Health Service Act (42 U.S.C. 274(b)) is amended—

10 (1) in paragraph (1)(B)—

1 (A) by redesignating clauses (i) and (ii) as
2 clauses (ii) and (iii), respectively;

3 (B) by inserting before clause (ii) (as so
4 redesignated) the following new clause:

5 “(i) that is elected in a transparent
6 process with voting representatives from
7 across the United States and from all key
8 constituencies within the transplant com-
9 munity;”; and

10 (C) in clause (iii) (as so redesignated), by
11 inserting before “whose chairpersons” the fol-
12 lowing: “through the election process described
13 in clause (i),”;

14 (2) in paragraph (2)—

15 (A) in the matter preceding subparagraph
16 (A), by striking “Network shall” and inserting
17 the following: “Network’s primary goal shall be
18 to increase the number of successful transplants
19 by establishing policies, collecting data, and
20 conducting studies and demonstrations to”;

21 (B) by redesignating subparagraphs (A)
22 through (J) as subparagraphs (P) through (Y),
23 respectively;

24 (C) by striking subparagraph (K);

1 (D) by redesignating subparagraphs (L),
2 (M), (N), and (O) as subparagraphs (Z), (AA),
3 (CC), and (DD), respectively;

4 (E) by inserting before subparagraph (P)
5 (as so redesignated) the following:

6 “(A) increase organ donation by—

7 “(i) working actively to increase the supply
8 of donated organs,

9 “(ii) providing information to physicians
10 and other health professionals regarding organ
11 donation,

12 “(iii) establishing a process and procedures
13 for adopting best practices in organ donation,
14 and

15 “(iv) establishing processes, procedures,
16 and requirements for continuing education for
17 transplant community personnel to implement
18 best practices,

19 “(B) increase access to transplantation for un-
20 derserved minorities,

21 “(C) reduce barriers to transplantation based
22 on socio-economic status,

23 “(D) increase access to transplantation for chil-
24 dren,

1 “(E) promote innovation in transplantation
2 science,

3 “(F) promote innovation in organ donation and
4 allocation,

5 “(G) increase organ utilization and reduce
6 organ discards by eliminating transplant policies and
7 regulations that encourage transplant centers to
8 avoid the use of certain organs,

9 “(H) reward local communities for donation ef-
10 forts by ensuring local access to donated organs,

11 “(I) facilitate collaboration between transplant
12 centers and local Organ Procurement Organizations
13 to maximize organ donation and utilization,

14 “(J) establish policies and procedures to in-
15 crease the use of marginal or high-risk donors con-
16 sistent with sound medical judgement and informed
17 consent, and ensure transplant centers are not pe-
18 nalized for such use,

19 “(K) establish uniform criteria for determining
20 patient medical status,

21 “(L) incorporate outcome measures into alloca-
22 tion policy to ensure maximum benefit to the popu-
23 lation from transplantation,

1 “(M) increase transparency of data collection
2 and modeling for organ donation and organ alloca-
3 tion,

4 “(N) establish policies and regulations that de-
5 crease the cost of organ procurement and transplan-
6 tation,

7 “(O) eliminate regulatory duplication between
8 agencies resulting in inefficiency in the transplant
9 process,”;

10 (F) in subparagraph (Q) (as so redesign-
11 nated), by inserting “, which shall consider out-
12 comes as well as waiting list mortality,” after
13 “allocating organs”; and

14 (G) by inserting after subparagraph (AA)
15 (as so redesignated) the following:

16 “(BB) recognize the differences in health and
17 in organ transplantation issues between patients who
18 live close to transplant centers and rural patients
19 who live far from transplant centers, and adopt cri-
20 teria, policies, and procedures that address the
21 unique health care needs of patients living in rural
22 areas far from transplant centers,”; and

23 (3) by striking paragraph (3).

1 (b) REGULATIONS.—The Secretary of Health and
2 Human Services shall promulgate regulations to imple-
3 ment the amendments made by this Act.

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