

What You Should Know about Organ and Tissue Donation

Approximately 28,000 organ transplants were performed in the United States in 2005; nearly 7,000 of those were from living donors. Another one million Americans receive donor tissue each year through reconstructive, restorative and cosmetic surgeries. Nevertheless, in December 2006, nearly 100,000 individuals were waiting for life-saving organ transplants. To help meet the need for organ and tissue donors, the Ohio legislature has passed several pieces of legislation to encourage donation. The legislation is intended to increase the dissemination of information about organ and tissue donation, make it easy for Ohioans to become donors, and provide workplace incentives for employees who serve as living donors.

Q.: What organs and tissues can be donated?

A.: Organs that can be donated include the heart, lungs, liver, kidneys, pancreas and small intestine. Tissues that can be donated include skin, bone, ligaments, tendons, fascia, veins, heart valves and corneas. If you wish to donate your entire body, you must contact the medical school of your choice to declare your intent.

Q.: I'm an Ohio resident. How can I register as a donor?

A.: Ohio established the Ohio Donor Registry in July 2002. The registry's database is maintained by the Ohio Bureau of Motor Vehicles, and allows only organ, tissue and eye procurement organizations access 24 hours a day, seven days a week. Your registration as a donor is an "advance directive" for your organs, tissues and/or eyes, if usable, to be recovered upon your death. You can declare your wish to become a donor when renewing your driver's license or state identification card at the Bureau of Motor Vehicles, by registering online at www.ohiobmv.com, or by completing the Donor Registry Enrollment Form, also available online at www.ohiobmv.com. In addition to registering your intent, you should discuss your wishes with your family. An individual under 18 years of age who wishes to become a donor must have the consent of a parent

or guardian.

Q.: How might my donated organs or tissues be used?

A.: Under Ohio law, an anatomical gift may be used for transplantation, therapy, research, education, or advancement of medical or dental science. All of these possible uses are listed on the Ohio Donor Registry Enrollment Form. If any of these possible uses is not acceptable to you, you should mark through the use or uses to which you object.

Q.: How are life-saving organs allocated?

A.: The United Network for Organ Sharing (UNOS) maintains a national, computerized list of nearly 100,000 patients awaiting kidney, heart, lung, liver, intestine, small bowel and pancreas transplants. Donors are matched against the list of recipients before an organ is offered for transplantation. Specific information about a donor is entered into the UNOS computer by an organ procurement organization. The computer first rules out potential recipients that are not compatible for blood type and body size. The computer then calculates a rank order for each remaining patient on the list. A patient's priority point score is determined by a number of variables including medical urgency, time waiting, and the degree of match with the donor. The UNOS computer does not consider race, income, or social status when determining potential recipients. The offer for the available organ is then made by the organ procurement organization to the identified patient's transplant center.

Q.: How does recent Ohio legislation increase the dissemination of information about donation?

A.: House Bill 407, passed in July 2002, requires students who attend driver's education courses in public schools or private enterprises to receive education about organ, tissue and eye donation.

Q.: How does recent legislation encourage employees to become donors?

A.: Through the Ohio Donor Leave Act (House Bill 326), effective February 2002, any state employee can receive up to 30 days of paid leave to serve as a living organ donor and up to seven days of paid leave to serve as a bone marrow donor. This law also requires information about liver, kidney and bone marrow donation leave benefits to be provided periodically to state employees. In addition, this Act encourages political subdivisions and private employers to grant similar paid leave to their employees.

Also, programs have been developed to help corporations raise awareness among employees about organ and tissue donation. Your local organ procurement organization (OPO) has materials for use in the workplace. For more information, contact your local OPO through www.lifelineofohio.org.

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Articles appearing in this column are intended to provide broad, general information about the law. Before applying this information to a specific legal problem, readers are urged to seek advice from an attorney.

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