

- SUBJECT:** Revising body and anatomical specimen donation requirements
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 8 ayes — Kolkhorst, Naishtat, Coleman, Gonzales, Hopson, McReynolds, Truitt, Zerwas
- 0 nays — None
- 3 absent — J. Davis, S. King, Laubenberg
- SENATE VOTE:** On final passage, March 19 — 31-0, on Local and Uncontested Calendar
- WITNESSES:** For — (*Registered, but did not testify:* Catherine Burch Graham, LifeGift Organ Donation Center; Greg Herzog, Texas Medical Association)
- Against — None
- BACKGROUND:** Organ procurement organizations are regulated by the federal government, and their regulatory standards are determined by the state Health and Human Services Commission (HHSC). Tissue procurement organizations operating in Texas are not required to be federally accredited.
- Currently, only the sender and receiver of a body or body part are required to have written documentation of the body or body part. State law does not require written documentation to accompany a body or body part while being transported to a medical school or other scientific setting.
- DIGEST:** SB 284 would amend Health and Safety Code, ch. 691 to require the Anatomical Board of the State of Texas to develop an informed consent document that would inform a person making a gift of a decedent's body or body part for the purposes of education or research of the risks and benefits associated with the donation. The Anatomical Board would be required to make the informed consent document available on their website.

A container in which a body or body part was transported would be required to have an affixed label with the statement “CONTENTS DERIVED FROM DONATED HUMAN TISSUE.”

Each person who had control or possession of a body or body part would have to:

- complete the information required on an chain-of-custody form prescribed by the board;
- maintain a copy of the form for the person’s records; and
- transfer the form to any other person to whom control or possession of the body or body part was transferred.

SB 284 also would amend Health and Safety Code, sec. 692.005 to allow a qualified tissue procurement organization to act as a donee for a body or body part, only if the organization provided to the Health and Human Services Commission (HHSC) a copy of an accreditation by the American Association of Tissue Banks, the Eye Bank Association of America, or another accreditation organization approved by HHSC.

The executive commissioner of the HHSC could adopt rules as necessary to carry out the bill’s requirements.

The bill would take effect September 1, 2009.