



April 26, 2019

Representative Mike Moon  
201 W Capitol Ave., Rm 203-B  
Jefferson City, MO 65101

Dear Representative Moon:

On behalf of Mid-America Transplant (MAT) and Midwest Transplant Network (MTN), we are writing to you today to express our opposition to SB 282.

In 2018, Eighty-eight Missourians died waiting for a transplant, and 22 people die nationwide each day waiting for a transplant. As the two federally-designated organ procurement organizations covering Missouri, MAT and MTN are committed to saving the lives of Missourians every day by facilitating the donation process. We serve as the front line for donation authorization, deploying compassionate and well-trained staff to Missouri hospitals to approach and counsel families on organ donation. This role is mandated under federal law; specifically, under 42 C.F.R. 482.45.

If enacted, the vague language of SB 282 would put an additional burden on hospitals to interpret not only who within the hospital is qualified to relay authorization information, but what is sufficient to constitute knowledge of an objection or refusal to organ and tissue donation. This could lead to a variety of interpretations across hospitals, resulting in inconsistent application of the law, and placing hospitals in potential violation of federal law. Further, federal regulations put the responsibility on the OPO to initiate the conversation surrounding authorization to both remove the risk to the hospital and ensure consistency in message. If SB 282 is passed as written with no definition of "refusal" or "notice of refusal," potential recipients may remain on the waitlist longer and risk death due to confusion surrounding whether a hospital representative has knowledge of an individual's objection to donation and whether an OPO has received notice of this refusal, resulting in fewer donations. Thus, removing opportunities for qualified OPOs to request authorization could be the difference between life and death for Missourians on the waitlist.

Moreover, the recent amendment to SB 282, SA-2, conflicts with this federal mandate by allowing a hospital representative to determine whether authorization for donation has been granted. Specifically, the amendment requires a hospital to notify the OPO of any refusal to make an anatomical gift (that is known or produced during a reasonable search) by a patient or patient's authorized representative and requires an OPO to cease ongoing examinations and communications of such patients once this notice has been given.

Midwest Transplant Network and Mid-America Transplant are committed to excellence and integrity in our lifesaving mission, and we are committed to increasing authorization for donation without compromising an individual or family's wishes surrounding end of life decisions. However, the language of SB 282, SA-2 forges a dangerous path for potential recipients of organ and tissue donation, in which the risks substantially outweigh the benefits.

We strongly urge you to remove this language from the bill. In the alternative, we request a meeting or phone call with you or your staff members to discuss revisions to SB 282 to alleviate any negative impact the Bill could have on tissue and organ donation.

Sincerely,

Diane Brockmeier, President/CEO  
Mid-America Transplant

Jan Finn, President/CEO  
Midwest Transplant Network