

HOUSE BILL NO. 4851

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 10103a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 10103A. (1) IF ALL OF THE FOLLOWING CIRCUMSTANCES
2 EXIST, THE FEDERALLY DESIGNATED ORGAN PROCUREMENT ORGANIZATION
3 OPERATING IN THIS STATE SHALL COMPLY WITH SUBSECTION (2):

4 (A) A GIFT OF A VASCULAR ORGAN IS MADE UNDER THIS PART WITH-
5 OUT SPECIFYING A DONEE OR A SPECIFIED DONEE REJECTS A GIFT OF A
6 VASCULAR ORGAN MADE TO THAT DONEE UNDER THIS PART.

7 (B) THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY HAS
8 JURISDICTION OVER THE ALLOCATION OF THE GIFT DESCRIBED IN SUBDI-
9 VISION (A).

10 (C) A SPECIFIED DONEE IN ANOTHER STATE DOES NOT EXIST AS A
11 RESULT OF A RECIPROCAL ORGAN-SHARING ARRANGEMENT WITH A FEDERALLY

1 DESIGNATED ORGAN PROCUREMENT ORGANIZATION OPERATING IN ANOTHER
2 STATE.

3 (2) THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY
4 DESCRIBED IN SUBSECTION (1) SHALL ATTEMPT TO FIND A SUITABLE
5 DONEE IN THIS STATE BEFORE OFFERING THE VASCULAR ORGAN TO A DONEE
6 IN ANOTHER STATE.

7 (3) AS USED IN THIS SECTION:

8 (A) "FEDERALLY DESIGNATED ORGAN PROCUREMENT ORGANIZATION"
9 MEANS AN ORGANIZATION THAT IS DESIGNATED BY THE UNITED STATES
10 DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH CARE FINANCING
11 ADMINISTRATION OR ITS SUCCESSOR, TO PERFORM OR COORDINATE THE
12 PERFORMANCE OF SURGICAL RECOVERY, PRESERVATION, AND TRANSPORTA-
13 TION OF HUMAN ORGANS, AND THAT MAINTAINS A SYSTEM FOR LOCATING
14 PROSPECTIVE RECIPIENTS FOR AVAILABLE ORGANS.

15 (B) "RECIPROCAL ORGAN-SHARING AGREEMENT" MEANS AN AGREEMENT
16 WITH A QUALIFIED FEDERALLY DESIGNATED ORGAN PROCUREMENT ORGANIZA-
17 TION OPERATING IN ANOTHER STATE, THE PURPOSE OF WHICH AGREEMENT
18 IS TO SERVE THE BEST INTERESTS OF THE PEOPLE OF THE STATE OF
19 MICHIGAN.

20 (C) "VASCULAR ORGAN" MEANS THE HEART, LUNGS, KIDNEYS, LIVER,
21 PANCREAS, INTESTINE, OR ANY OTHER ORGAN THAT REQUIRES THE CONTIN-
22 UOUS CIRCULATION OF BLOOD TO REMAIN USEFUL FOR TRANSPLANTATION
23 PURPOSES. AS USED IN THIS PART, VASCULAR ORGAN DOES NOT INCLUDE
24 HUMAN TISSUE, BONES, OR CORNEAS.