

## **BILL ANALYSIS**

Senate Research Center  
77R9064 YDB-D

S.B. 1477  
By: Nelson  
Health & Human Services  
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As Filed

### **DIGEST AND PURPOSE**

Currently, Texas does not have a statewide comprehensive human organ allocation distribution system. The Senate Bill 862 Task Force was charged by the 76th Legislature with assessing the current organ allocation system including the productivity of each organ procurement area, waiting times at each transplant center in the state, standardized listing criteria for transplant candidates, community efforts to encourage organ donation, and the need to encourage organ donation within the state. As proposed, S.B. 1477 requires the Texas Department of Health to develop a program to educate health care providers and attorneys about anatomical gifts and to adopt rules to ensure that at least twenty percent of vascular organs received and distributed by a qualified organ procurement organization are distributed for transplantation to those who have been on a waiting list for the longest period for a transplantation.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Department of Health in SECTION 2 (Section 692.0145, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 46, Health and Safety Code, as added by Chapter 1516, Acts of the 76th Legislature, Regular Session, 1999, by adding Section 46.002, as follows:

Sec. 46.002. EDUCATION FOR HEALTH CARE PROVIDERS AND ATTORNEYS.

(a) Requires the Texas Department of Health (department) to develop a program to educate health care providers and attorneys about anatomical gifts.

(b) Requires the program to encourage attorneys to provide clients seeking legal advice for end-of-life decisions with information related to organ donation.

(c) Requires the department to encourage medical schools and nursing schools to include mandatory education relating to organ donation in the schools' curriculum.

(d) Requires the department to encourage medical schools and hospitals in this state to require each resident in neurology or neurosurgery to complete an advanced course in organ donor education.

SECTION 2. Amends Section 692.0145, Health and Safety Code, by adding Subsection (c), to require the department to adopt rules to ensure that at least 20 percent of vascular organs received and distributed by a qualified organ procurement organization are distributed for transplantation to individuals who have been on a waiting list for the longest period for a transplantation at a transplant center in this state.

SECTION 3. Effective date: September 1, 2001.