



**TESTIMONY OF  
CONNECTICUT HOSPITAL ASSOCIATION  
PUBLIC HEALTH COMMITTEE  
Friday, February 17, 2017**

**SB 3, An Act Concerning The Donation Of Organs And Bone Marrow  
SB 750, An Act Concerning Organ Donation**

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 3, An Act Concerning The Donation Of Organs And Bone Marrow and SB 750, An Act Concerning Organ Donation.**

Before commenting on the bill, it's important to point out that Connecticut hospitals provide high quality care for everyone, regardless of ability to pay. Connecticut hospitals are finding innovative solutions to integrate and coordinate care to better serve patients and communities, as well as achieve health equity. These dynamic, complex organizations are working to build a healthier Connecticut. That means building a healthy economy, community, and healthcare system. By investing in the future of Connecticut's healthcare and hospitals, rather than continuing to cut away at them, we will strengthen our economy, put communities to work, and deliver affordable care that Connecticut families deserve.

CHA supports the intention behind the bills of increasing organ donation, but has concerns about implementation as written.

SB 3 seeks to provide some financial assistance for those donating "organs" and "bone marrow." CHA believes these are laudable attempts to help those who make these significant sacrifices for the good of society. We note that "organs" and "bone marrow" may be too narrow a description to cover certain anatomical donations, such as tissue donations including partial organ donations, which can be made from living donors.

SB 750 seeks to change the current process in Connecticut of affirmative donor consent to an "opt-out" process – the intended effect of the law being that every person who does not formally object becomes an organ donor by default. There is ongoing debate across America as to whether "opt out" or "presumed consent" actually increases organ donation over a direct consent process – where a person, or their family, can be educated about granting permission for organ donation. While this debate continues, it may be premature to change the consent

process that we use in Connecticut without evidence-based clarity that an opt-out system would improve results. But ultimately, we will rely on the wisdom of the legislature, in consultation with organ and tissue donation and procurement system experts, to determine the best policy.

Our concern relates to the actual implementation of an opt-out consent process. As you are likely aware, there is an elaborate federal organ procurement infrastructure that oversees the management and operational aspects of organ donation, collection, and implantation. There are myriad federal rules that must be followed within the context of that system. An important foundational element of the federal rules is that families of would-be donors are engaged in the process to ensure that they understand the issues and the importance of donation, as well as to allow for compassionate assessment and handling of various factors, including cultural and religious concerns. If Connecticut changes to opt-out consent, it seems there would be no reason to engage with or consult families, including if the family objects to the donation, or if the would-be donor is a child. We ask that these issues be considered carefully, and that the organ procurement organizations have clear guidance ready on how providers who are on the front lines are expected to handle families if the consent rules change in Connecticut.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.