A BILL ENTITLED

AN ACT concerning

Task Force to Study Presumed Consent Organ Donation in Maryland

FOR the purpose of establishing the Task Force to Study Presumed Consent Organ Donation in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its interim and final findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study Presumed Consent Organ Donation in Maryland.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study Presumed Consent Organ Donation in Maryland.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Health and Mental Hygiene, or the Secretary’s designee; and

(4) the following members, appointed by the Governor:
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1 (i) one representative of the Maryland Motor Vehicle
Administration;

2 (ii) one representative of Donate Life Maryland;

3 (iii) one representative of the Maryland Hospital Association;

4 (iv) one representative of MedChi, the Maryland State Medical
Society;

5 (v) one representative of the Maryland Nurses Association;

6 (vi) one representative of a faith–based group;

7 (vii) one representative of organ donors and their families;

8 (viii) one representative of organ recipients and their families;

9 (ix) one representative of the Maryland State Bar Association; and

10 (x) a medical ethicist.

11 (c) The Governor shall designate the chair of the Task Force.

12 (d) The Department of Health and Mental Hygiene shall provide staff for the Task
Force.

13 (e) A member of the Task Force:

14 (1) may not receive compensation as a member of the Task Force; but

15 (2) is entitled to reimbursement for expenses under the Standard State
Travel Regulations, as provided in the State budget.

16 (f) The Task Force shall:

17 (1) study:

18 (i) the impact of establishing a system of presumed consent organ
donation in the State on organ donation rates in the State;

19 (ii) comparisons of organ donation rates in countries before and after
the introduction of a presumed consent law and comparisons of organ donation rates in
countries with and without presumed consent laws;

20 (iii) available data on the attitudes of the public, professionals, and
other stakeholders regarding presumed consent organ donation;
(iv) the feasibility of establishing a system of presumed consent organ donation in the State that would require the Maryland Motor Vehicle Administration to notify an applicant applying for or renewing a driver’s license or an identification card that the applicant would be deemed to have consented to be an organ donor unless the applicant expressly chooses not to consent;

(v) alternate systems of presumed consent organ donation;

(vi) the medical, legal, ethical, economic, and social issues relating to presumed consent organ donation; and

(vii) how new health technology could support a presumed consent organ donation system; and

(2) make recommendations regarding the establishment of a presumed consent organ donation system in the State and how a system would increase organ donation rates in the State.

(g) On or before June 1, 2016, the Task Force shall report its interim findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

(h) On or before June 1, 2017, the Task Force shall report its final findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2015. It shall remain effective for a period of 2 years and 2 months and, at the end of July 31, 2017, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.