

# **SB577 Testimony in Support Infinite Legacy (002).p**

Uploaded by: Karen Kennedy

Position: FAV



Giving Life. Restoring Hope.

**SB577 Maryland Revised Uniform Anatomical Gift Act -  
Donors - Registration by Tax Return Checkoff  
FAVORABLE**

February 4, 2024

Hon. Senator Guy Guzzone

Budget and Taxation Committee  
3 West Miller Senate Office Building  
11 Bladen Street  
Annapolis, Maryland 21401

Dear Chair Guzzone, Vice Chair Rosapepe, and Committee Members,

On behalf of Infinite Legacy (IL) and the more than 2,200 Marylanders awaiting a life-saving organ or tissue transplant, thank you for your continued support of organ and tissue donation. IL is privileged to work collaboratively with Maryland hospitals, transplant centers, the Office of the Chief Medical Examiner, and funeral homes to facilitate organ and tissue donation.

We also work collaboratively with Donate Life Maryland (DLM), with whom we partner for public education initiatives to increase awareness about organ, eye, and tissue donation across the state. DLM's dedication to ensuring every Marylander has an opportunity to designate their intent to be a donor provides us with the privilege to honor that designation at the time of their death.

Every day, IL has the honor of working with families, who at a time of tremendous loss, help others through the gift of donation. Without the incredible support of the Maryland legislature, we would not have accomplished all we have done thus far in saving and enhancing lives through donation.

IL serves as the Organ Procurement Organization (OPO) for Maryland, as well as Washington, D.C. and Northern Virginia. As one of 56 OPOs certified by the Centers for Medicare and Medicaid Services (CMS), and a member of the Organ Procurement and Transplantation Network (OPTN), IL coordinates the donation process throughout our service area. When a hospital recognizes an individual has suffered a non-recoverable injury or has died, the healthcare team contacts IL. Our dedicated team then evaluates the potential donor for medical suitability, checks local and national registries for donor designation status, discusses donation with family members, and arranges the recovery and transportation of donated organs to the transplant center which has accepted this generous gift of life.

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(410) 242-7000

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(703) 641-0100

[infinitelegacy.org](http://infinitelegacy.org)



Giving Life. Restoring Hope.

We also provide extensive bereavement support for donor families following their loved one's donation. Every day we have the privilege of supporting families who honored the designated wishes of their loved ones; we see the meaning and comfort it brings them to know that this is what their family member wanted. Any opportunity for individuals to designate their wishes ensures that our organization, when the time comes, can work with their family to honor their intent to save the lives of fellow citizens.

On behalf of IL, we offer our full support for SB577. Offering the opportunity for Marylanders to designate their wishes to be an organ, eye, and tissue donor on their state income tax form expands their ability to document their generous intent to help others. It also ensures more individuals in need of a life-saving transplant are offered this precious gift. Maryland would join Michigan as one of the first states in the country to offer this option.

Thank you for your consideration and for all that you do on behalf of Marylanders every day. We welcome the opportunity to answer any questions you might have or share additional information regarding the positive impact this bill would provide.

Sincerely,

A handwritten signature in black ink that reads "Karen Kennedy".

Karen Kennedy, MSN, RN  
Vice President of External Affairs and Education  
Infinite Legacy

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# **DLM One pager 2024.pdf**

Uploaded by: Lisa Spicknall

Position: FAV



## **Saving and enhancing lives by registering organ, eye and tissue donors.**

We are the state-authorized nonprofit organization responsible for managing the Maryland Donor Registry.

Established in 2007, DLM works closely with the two federally designated nonprofit organ procurement organizations serving Maryland, The Living Legacy Foundation of Maryland (LLF) and the Washington Regional Transplant Community (WRTC).

In addition to managing and operating the Maryland Donor Registry, DLM, in partnership with The LLF and WRTC, helps spread the word about organ, eye and tissue donation and how to register as a donor in Maryland.

### **VISION**

**EVERY** Marylander can make an educated decision about organ, eye and tissue donation and registering as a donor.

### **Quality Commitment**

In collaboration with our OPO partners, we strive to further our mission of saving and enhancing lives by registering organ, eye and tissue donors.

**Registered over 2.7 Million Donors.**

**Lobbied for numerous lifesaving laws in Maryland.**

**Provides outreach and education on the importance of organ, eye and tissue donation.**

**Since 2009**

**Over 3,000 Marylanders are currently waiting for a life-saving transplant.**

[www.donatelifemaryland.org](http://www.donatelifemaryland.org)



[info@donatelifemaryland.org](mailto:info@donatelifemaryland.org)

**DLM Testimony\_SB0577.pdf**

Uploaded by: Lisa Spicknall

Position: FAV



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1.866.MD.DONOR

**SB577 Maryland Revised Uniform Anatomical Gift Act -  
Donors - Registration by Tax Return Checkoff  
FAVORABLE**

February 7, 2024

Hon. Senator Guy Guzzone  
Budget and Taxation Committee  
3 West Miller Senate Office Building  
11 Bladen Street  
Annapolis, Maryland 21401

Dear Chair Guzzone, Vice Chair Rosapepe, and Committee Members,

On behalf of Donate Life Maryland and the more than 2,200 Marylanders awaiting a life-saving organ transplant, thank you for your continued support of organ and tissue donation. Our mission is to save and enhance lives by registering organ, eye and tissue donors, providing public education and awareness about organ, eye and tissue donation in Maryland. With our vision to ensure every Marylander can make an educated decision about organ, eye and tissue donation.

As the state-authorized nonprofit responsible for managing the Maryland donor registry, we are honored to work with and support Maryland's designated organ procurement organizations, Infinte Legacy.

In 2007 Maryland established under the Estates and Trusts code §4-516 a contract between the Secretary of Health and a qualified nonprofit who was tasked with establishing, maintaining, and operating the Maryland donor registry. This code also established the corporation between the donor registry and the Motor Vehicle Administration for the purpose of transferring to the donor registry all relevant information regarding a donor making, amending, or revoking their anatomical gift. Since 2007 Donate Life Maryland has been the state authorized nonprofit contracted by the Maryland Department of Health to oversee the Maryland Donor Registry.

This system was the most effective way for donor registrations across the state seeing approximately 2.2 million of the current 2.8 million Marylanders registered across the state. With the implementation of Real ID Marylanders are no longer required to renew their license every two years, moving to every eight year for license renewal. This extended period for renewal removes the donor designation question from people's minds and places the over 2,200 Marylanders currently on the transplant waitlist at a much greater potential for not receiving that phone call. Approximately 2% of deaths which occur can be organ donors, placing Marylanders currently waiting at high risk to not receive their transplant. Due to the several years between license renewals Marylanders are no longer given the option to either opt in or opt out of becoming an organ, eye and tissue donor.

**What can YOU make possible? Register TODAY to be an organ, eye and tissue donor!  
To become a donor visit: [register.donatelifemaryland.org](https://register.donatelifemaryland.org)**



1730 Twin Springs Road  
Suite 200  
Baltimore, MD 21227  
1.866.MD.DONOR

This bill would enable an individual to designate a willingness to be an organ donor on their annual state income tax return. It would require the state individual income tax return to contain a space for a taxpayer to indicate if they are willing to participate in the Maryland Donor Registry. The tax return would have to include the following statement under that space:

An individual taxpayer willing to participate in the anatomical gift donor registry must complete the donor registry schedule and submit it with the taxpayer's state income tax return.

The instruction booklet that accompanies the annual return would have to include information describing the donor registry program maintained by the state's designated donor registry organization. The information would have to explain the taxpayer's right under the Estates and Trusts Code §4-516 to make an anatomical gift in the event of death and provide the taxpayer with the opportunity to specify on the taxpayer's annual return that the taxpayer is willing to participate and have their name placed on the donor registry.

At a minimum, the donor registry schedule would have to include all of the following information:

- The taxpayer's name, date of birth, and address.
- The taxpayer's Social Security, driver's license, or state ID card number.
- Information describing the donor registry program, including the address and phone number of the states designated donor registry organization.
- A statement that the department will forward the completed schedule to the proper organization for the taxpayer's inclusion as a donor on the donor registry.

By supporting this additional avenue to register as an organ, eye and tissue donor, we can ensure that the over 2,200 Marylander's currently on the waitlist can receive their much needed transplant. This will not only allow those who want to register a way to do so, but also for those who may want to remove their registration a similar route.

We sincerely appreciate the legislature's ongoing support of our efforts and your role in helping us save lives and honor donors, their families, and the very grateful recipients whose lives are changed through organ and tissue donation.

Sincerely,

A handwritten signature in black ink that reads "Lisa M. Spicknall".

Lisa Spicknall  
Executive Director  
Donate Life Maryland

**What can YOU make possible? Register TODAY to be an organ, eye and tissue donor!  
To become a donor visit: [register.donatelifemaryland.org](http://register.donatelifemaryland.org)**



# **SB577 King Sponsor Testimony.pdf**

Uploaded by: Senator Nancy King

Position: FAV

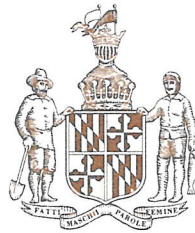
NANCY J. KING  
Legislative District 39  
Montgomery County

MAJORITY LEADER

Budget and Taxation Committee

*Chair*

Education, Business and  
Administration Subcommittee



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

SPONSOR STATEMENT

**Senate Bill 577 – Maryland Revised Uniform Anatomical Gift Act – Donors –  
Registration by Tax Return Checkoff**

February 7, 2024

Mister Chairman and Members of the Budget and Taxation Committee:

In 2007 Maryland established a contract between the Secretary of Health and a qualified nonprofit who was tasked with establishing, maintaining, and operating the Maryland donor registry. The legislation at that time also cleared the way for the Motor Vehicle Administration collect and transfer to the donor registry all relevant information regarding a donor making, amending, or revoking their anatomical gift.

This system has been a very effective way for Marylanders to help others by registering to be a donor, and there are currently over 2.2 million residents who have registered to be donors. Prior to the implementation of Real ID in 2016, Marylanders would renew their driver's license every two years, and the question of whether they wanted to be a donor was before them every two years. Now that the time interval for renewals has moved to every eight years, the donor designation question is not as frequent on people's minds and, consequently, places the over 2,200 Marylanders currently on the transplant waitlist at a much greater risk for not receiving a life-saving transplant.

Providing additional opportunities for individuals to indicate their wish to be a donor helps ensure that those Marylanders in need of a transplant will have a better chance at receiving the gift of life. Senate Bill 577 would enable an individual to designate a willingness to be an organ donor on their annual state income tax return. It would require the state individual income tax return to contain a space for a taxpayer to indicate if they are willing to participate in the Maryland Donor Registry.

Organ and tissue donation can save or drastically improve a life. Passage of this legislation will increase the number of people willing to take this opportunity to help others, and so I respectfully request a favorable report on Senate Bill 577.

# **SB 577 - Comptrollers Office - Letter of Informati**

Uploaded by: Justin Hayes

Position: INFO

**Letter of Information – Senate Bill 577 – Maryland Revised Uniform Anatomical Gift Act –  
Donors – Registration by Tax Return Checkoff**  
*Budget and Tax Committee*  
*February 7, 2024*

We greatly appreciate the effort put forth by Senator King to increase anatomical gifts within the state. This is an important cause that deserves discussion. However, we write to highlight operational concerns that have emerged in our review of the legislation that could have a significant impact on our office.

While we extend our support to the spirit of this initiative, it is imperative to ensure that the program's placement does not compromise the Comptroller's essential operations. As the placement of this program under our purview could potentially expose us to legal and operational issues that are unrelated to tax and outside of our area of expertise, we ask the committee to consider this feedback in relation to the bill.

To operationalize SB577, we must alter existing tax forms, collect new sensitive data that does not have a tax purpose, share sensitive personal data and tax information with Donate Life Maryland - a non-governmental entity - develop new data validation processes, and integrate an interface between our office and DHS, which comes with operational costs among other considerations.

**Tax form programming**

- This bill requires our office to alter tax returns and requires the collection of personally identification information (PII) that is not required for tax purposes. Each year, the Comptroller's Office must test our tax forms and approve the versions created by third-party vendors prior to the launch of tax season. The more non-tax information that must be collected and the more complex the tax return becomes, the longer it takes us to accomplish this annual – and vital – task.



## **Data sharing**

- § 4-516 - requires the Comptroller and the Motor Vehicle Administration (MVA) to cooperate with a non-governmental entity (Donate Life Maryland) to transfer all relevant information regarding the donors making, amending or, or revoking of atomical gift. In this instance, “cooperate” means to share data. To enable this data sharing, the data sharing requirement will need to be added to the exceptions to non-disclosure in TG § 13-203. This will give the Comptroller the authority to create a Memorandum of Understanding (MOU) or Data-Sharing Agreement with the MVA and the non-governmental entity. However, we have concerns about sharing taxpayer data with non-governmental organizations. It increases the risk of data breaches, which is against our promise to keep tax data confidential. The confidentiality of taxpayer data is vital to maintaining a voluntary tax system. Without it, the incentive to comply would be significantly reduced. Section 2-118 requires that if a taxpayer becomes an organ donor, their tax information will be shared with many other individuals, including medical personnel and administrators at all levels.

## **Transmittal of information**

- According to § 2-118(b), if a taxpayer checks the box, the Comptroller is required to transmit information on the taxpayer such as their driver's license number, state identification number, or social security number, first and last name, date of birth, and address. However, we have some concerns about this requirement. First, the Comptroller's office does not collect driver's license numbers or state identification numbers and we advise against collecting any sensitive personally identifiable information (PII) that is not necessary for tax administration purposes. Second, our agency only collects dates of birth for dependents where it is necessary to determine eligibility for certain programs. Like identification numbers, we advise against collecting any sensitive PII that is not necessary for tax administration purposes. Last, the addresses collected by the Comptroller's office cannot be used as reliable indicators of identity. For example, two individuals with similar names may live in the same apartment at different times. Our MOU with MVA specifically states that the tax information, at the time it is shared, is not verified, and cannot be used for identification purposes.
- We understand that the bill's intent is to collect data in real-time but given that the Comptroller's office collects data annually in waves, it may not be feasible as the Comptroller's office collects data once a year in waves. A timing concern that we had in the past and expressed when dealing with the health insurance checkbox, is the delay in processing. If this bill passes, we anticipate the same issues. For instance, if someone checks a box to donate their organs, but the information isn't immediately available due to processing delays and they pass away, their organs might not be donated. Requiring a check box, when real-time data is necessary, could potentially lead to lawsuits against the agency and hold our office liable for failing to facilitate a potentially life-saving donation, which can be avoided.

In addition to the listed concerns, there are additional technical issues that require intense discussion and debate to ensure there is appropriate mechanisms in place to carry out the intent of this bill, of which we are not confident exist at the moment in Maryland.

As always, the Comptroller's Office remains committed to supporting initiatives that benefit the community and look forward to working with you on this matter. Please contact Justin Hayes, Director of State Affairs at [jhayes@marylandtaxes.gov](mailto:jhayes@marylandtaxes.gov) or 410-260-7696, with any questions.