



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HB 301**

*Estates and Trusts - Maryland Revised Uniform Anatomical Gift Act - Revisions*

Statement in SUPPORT

Chair Pendergrass, Vice Chair Pena-Melnyk and members of the Health and Government Operations Committee, thank you for the opportunity to testify in support of HB301, a bill which will improve our state's organ donation statute by ensuring, in part, that individuals who express a general intent to be an organ donor may donate for research and education. Under current law, donations made with general intent are solely used for transplantation and therapy. This bill was heard towards the end of our shortened session last year, but we ran out of time before being able to take action on this effort.

When an individual makes the life-changing gift of organ donation, there are four possible uses: transplantation, therapy, research and education. If the individual signs up on the Donate Life Maryland registry, they are automatically signed up for all four categories. However, 90+ percent of people register at the MVA and under current law, that is deemed a "gift with general intent," which under current law is only allowed to be used for transplant or treatment. If a deceased donor is deemed eligible to donate their organs posthumously, the Organ Procurement Organization must determine if the donor signed up at the MVA or the registry and then distribute the gifts accordingly.

Maryland may be one of the only remaining states that limit the use of 'gift with general intent' to transplantation and therapy. There are many benefits to expanding the law to include research and education. For a number of reasons, not all organs are viable for transplant. Issues such as a donor's age or medical history, or an organ abnormality, might limit their feasibility. However, these organs are often very practical for use in research.<sup>1</sup> There is no substitute for human tissue when studying the body. Medical professionals are reliant on generous donors to improve patient outcomes. This includes quicker patient recovery times, minimal scarring, heightened range of

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<sup>1</sup> University of Wisconsin Hospitals and Clinics Authority. (n.d.). Donate Organs for Research: The Future Depends on It. Retrieved March 10, 2020, from <https://www.uwhealth.org/organ-donation/donate-organs-for-research-the-future-depends-on-it/20613>

motion, added longevity for implanted medical devices and less time needed for physical therapy.<sup>2</sup> Some examples of the many studies that benefit from human tissue donation include<sup>3</sup>:

- Anatomy and Physiology Student Education and Labs
- Alzheimer's, Dementia, and Parkinson's Research
- Cranio-Maxillofacial Surgical Technology
- Drug Therapy
- Emergency First Responder Training
- Medical Resident Training
- Minimally-Invasive Surgical Technology
- Musculo-Skeletal Enhancements
- Neurosurgery
- Orthopedic Device Technology
- Otolaryngology
- Pain Management
- Robotic Cardiac and Thoracic Surgical Training
- Sports Medicine Surgeon and Physician Technique Development

There are 2,944 individuals currently on the waiting list to receive an organ donation in the state of Maryland, and nationally, there are 107,954 individuals on the waiting list<sup>4</sup>. However, there are also countless patients who could benefit from this bill through the expansion and inclusion of research and education when an individual notes they would like to make a donation with general intent.

During the 2020 bill hearing, members of HGO raised concerns about the need to grandfather individuals currently registered via the MVA process. To that end, I have a sponsor amendment drafted to do so, and would welcome the opportunity to work with the committee on any additional changes needed.

For these reasons I respectfully request a favorable report on HB301.

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<sup>2</sup> United Tissue Network. (2016). Why is Human Tissue Needed? Retrieved March 10, 2020, from <https://unitedtissue.org/whole-body-donation/faqs/>

<sup>3</sup> Agradmin. (2018, December 31). Donation Benefits. Retrieved March 10, 2020, from <https://www.anatomygifts.org/donation-process/donation-benefits/>

<sup>4</sup> <https://optn.transplant.hrsa.gov/data/>