

The Uniform Anatomical Gift Act,

The *Donate Life Colorado*

Organ Allocation

Jennifer Prinz
Chief Operating Officer
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DonorAlliance.org
DonateLifeColorado.org
DonateLifeWyoming.org



Colorado & Wyoming

Objectives

- To share data regarding the need for donation and transplantation
- To provide information regarding the *Donate Life Colorado* Organ & Tissue Donor Registry
- To explain what the heart on the license represents for Colorado
- To provide information regarding the UAGA
- To share information regarding the organ allocation process

Current Waiting List*

- 122,582 on National Waiting List
- 2,532 waiting in CO/WY

2013 Conversion Rate**

- National average = 76%
- Donor Alliance = 88%

2013 Donor Registry Rates***

- National Rates = 47.5%
- Colorado rate = 67%
- Wyoming rate = 59%

*United Network For Organ Sharing: www.unos.org

**Organ Donation Alliance: www.organdonationalliance.org

*** Donor Alliance & Donate Life America: www.donatelife.net

The Good News:

8,267 Deceased Organ Donors in 2013

25,431 Organs from Deceased Donors
were Transplanted

The Bad News:

6,112 People Died While Waiting for a
Transplant

On Average, **17** people Died Every Day
While on the Waiting List

122,301* People are on the
Transplant Waiting list
awaiting life-saving organs

The Challenge:

The Current Waiting List:



The Current Waiting List:

An aerial photograph of a large, circular stadium filled with spectators. The stadium is surrounded by parking lots and buildings. A green rectangular text box is overlaid in the center of the image.

**20,000+ Additional
Seats Needed**



THE *DONATE LIFE COLORADO* ORGAN & TISSUE DONOR REGISTRY

The *Donate Life* Colorado Organ & Tissue Donor Registry

- Founded October 15, 2001: A mature registry that works
- Authorization for organs, eye, tissue, research and education
- First person authorization
- One of the Nation's highest-performing state donor registry with 67% of licensed drivers registered as donors

DONATE LIFE COLORADO REGISTRY

What does the heart symbol on my driver's license mean?



- Your name is on the Donor Registry
- Donor Alliance determines a potential donors eligibility to be an organ and tissue donor, by having Statline look up the individuals name in the Registry.

DRIVERS LICENSE OFFICES (DLO'S)

- **DLO employees are required by law to ask the two questions:**
 1. “Would you like to register to be an organ, eye and tissue donor?”
 2. “Would you like to contribute \$1.00 or more to the Donation Awareness Fund?”
- **If renewing:**
 - “Would you like to remain an organ, eye and tissue donor?”

ONLINE LICENSE RENEWAL

Save time. Renew online.

Driver's License or State ID.

Please say **YES** to the **GIFT OF LIFE**

There are no age or health restrictions to be an organ, eye, and tissue donor.



VROOM CAMPAIGN

GUY VROOM

Your license to more free time.



www.Colorado.gov/vroom/renewlicense



DonorAlliance.org

| DonateLifeColorado.org

| DonateLifeWyoming.org



Colorado & Wyoming

No More Excuses. Save Lives.



Anyone can sign up to be an organ, eye and tissue donor



"I just haven't thought about it."



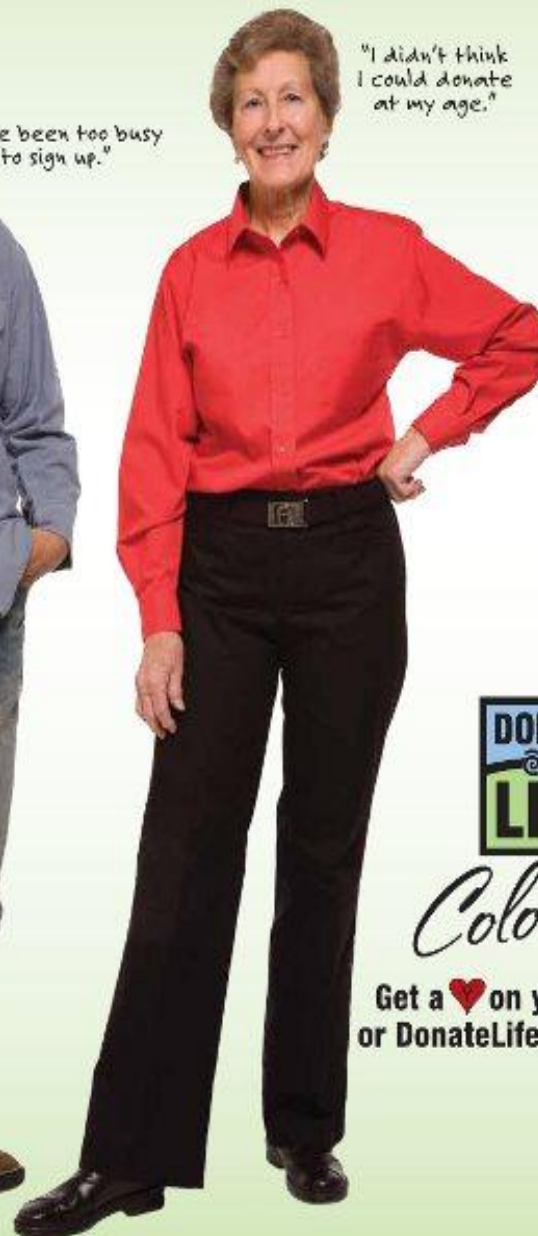
"I always thought my family would decide."



"I have diabetes. I didn't realize I could still donate."



"I've been too busy to sign up."



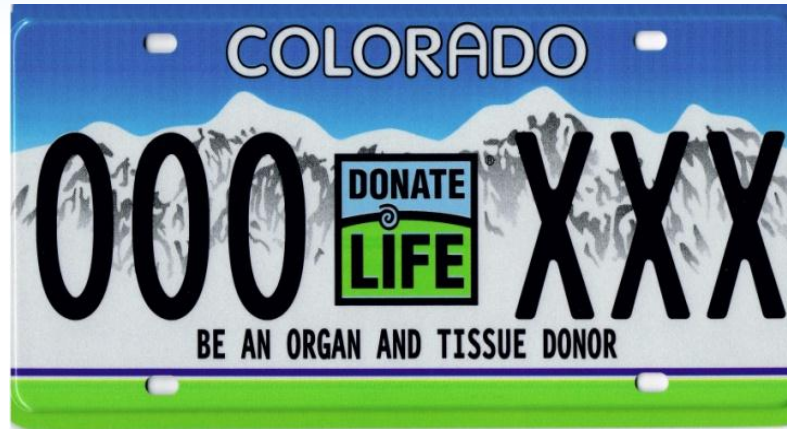
"I didn't think I could donate at my age."



Colorado

Get a heart on your back or DonateLife

COLORADO LICENSE PLATE



About the plate

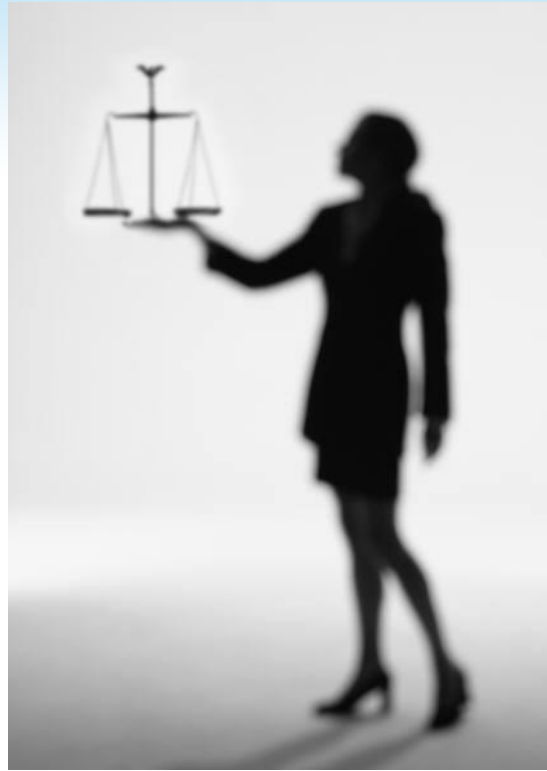
- We hit our goal of over 3,000 *Donate Life* plates in circulation!
- It is now a permanent option at the Colorado Department of Motor Vehicles.

What does it cost?

- One-time \$50 fee (does not coincide with registration renewal).
- How do you get one?

Keys to Registry's Success

- Partnership with DMV
 - DLO clerks play an active role
 - Receive training and education
- Partnership with Donor Hospitals
 - Community education
 - Upholding the registry as an advanced directive
- Promoting the registry in public education and public relations efforts



WHAT IS THE UNIFORM ANATOMICAL GIFT ACT?

Legal Basis of Deceased Donation

- The Uniform Anatomical Gift Act (UAGA)
 - Primary legal authority for organ, eye and tissue donation
 - Model legislation enacted as state law
 - First drafted in 1968, revised in 1987 and 2006
 - Every state passed original UAGA
 - 46 states have now enacted the 2006 version

Legal Basis of Deceased Donation

- Gift law as primary legal principle in UAGA
- Gift law requires 3 elements:
 - Intent
 - Transfer
 - Acceptance
- A gift is a voluntary and legally binding uncompensated transfer
- The gift is for transplant, education and research

Legal Basis of Deceased Donation

- Under the UAGA an anatomical gift can be made:
 - By an adult prior to death
 - By an agent or parent prior to death
 - By a surrogate decision-maker after death

Historical Perspective

- The original UAGA of 1968
 - An individual may make an anatomical gift to be effective after death by use of a document of gift
 - Next-of-kin authorization not required if donor executed a valid document of gift
- Law versus practice
 - In past, document not found so family authorization sought

Historical Perspective

- Development of Donor Registries
 - An electronic donor card
- Donor registries changed first person authorization practices
- The law recognizes donor registration as a document of gift
 - Reminder: donor registries follow gift law not informed consent principles

UAGA: First Person Authorization

- Valid document of gift
 - Donor registry
 - Signed document
 - Advanced directive
 - Health care proxy
 - Will
- Disclosure of donor designation to family
 - CMS regulations
 - OPO practice

First Person Authorization

Adult individuals have the right to make a legally binding anatomical gift prior to death.

Ethical Basis of First Person Authorization

- Self-determination concept that adult individuals should be able to make their own decisions about donation of organs after their death
- Consistent with ethical principles behind other advanced directives

What Happens When the Family Objects?

- Law
 - First person authorization is a legally binding anatomical gift that family cannot over-ride
 - Gift can be accepted or declined
 - Legally protected and granted immunity from liability if follow UAGA in good faith.
- Ethics
 - Respect the autonomy rights of the donor
 - Maximize the potential good (lives saved)

How To Move Forward

- Hospital staff knowledge of the law
- Escalation protocol in place
 - Ascertain basis of family objection
 - Assess transplant potential
- Coordinated decision between OPO and Hospital

5 Things Everyone In Healthcare Should Know About The Law & Ethics Of Donation

- The Uniform Anatomical Gift Act is the law that governs deceased donation
- It is based on gift law principles not informed consent
- Adults can make their own legally binding donation decision prior to death
- The UAGA applies regardless of how death is declared
- The ethical principle of autonomy supports first person authorization



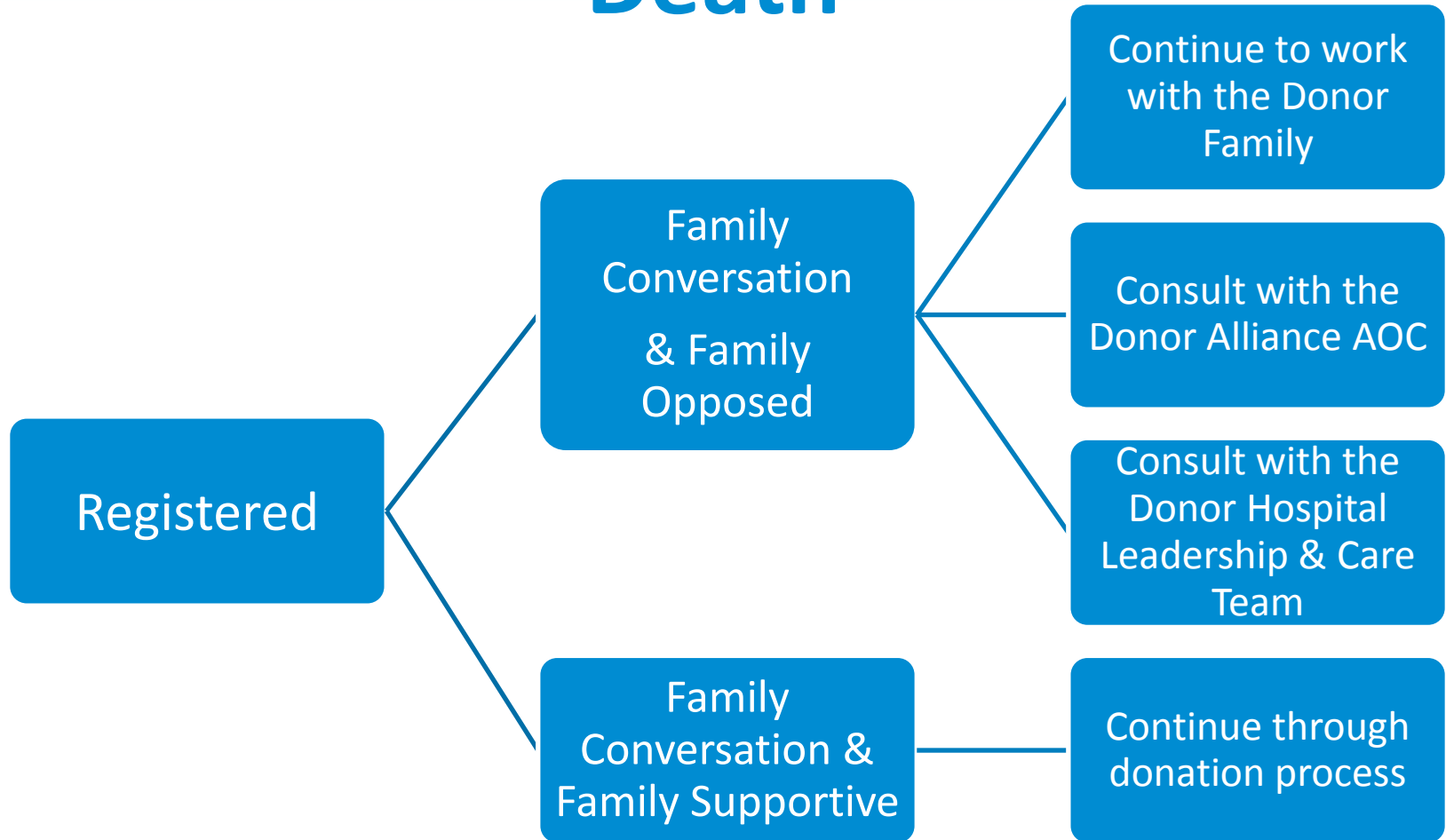
WHAT HAPPENS WHEN THE FAMILY IS IN OPPOSITION TO THE REGISTRY?

Donor Family Conversations

- Important to have the right person available to have the donation conversation at the right time with the potential donor family



What Happens at the Time of Death



Organ Allocation

United Network for Organ Sharing (UNOS)

- National system of registered recipients
- Contracted by Government in 1987
- Create “checks and balances” in system
- Goal: Fair and equitable system of allocation
- Stakeholders: Transplant Centers, Transplant Surgeons, OPO’s, Waiting Recipients, Donor Families

Acknowledgements

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- Staff of Donor Alliance
- Staff of Donor Hospitals throughout Colorado and Wyoming

