

HOUSE No. 4803

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 27, 2024.

The committee on Health Care Financing, to whom was referred the Bill to establish the Massachusetts incarcerated individual bone marrow and organ donation program (House, No. 2333), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4803) [Cost: Greater than \$100,000.00].

For the committee,

JOHN L. LAWN, JR.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to establish the Massachusetts incarcerated individual bone marrow and organ donation program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (a) of section 236 of chapter 111 of the General Laws is hereby
2 amended by inserting after the word “gift.” in line 21, the following words: including, but not
3 limited to incarcerated persons of 18 years of age.

4 SECTION 2. Said section 236 of said chapter 111 is amended by inserting after the word
5 “care” in line 143, the following words: The Department of Corrections shall provide a caregiver
6 at the covered entity or correctional facility to provide all necessary aftercare and continuing care
7 pursuant to this section as if the location were a residence.

8 SECTION 3. Said section 236 of said chapter 111 is hereby amended by adding the
9 following subsection at line 213:- (g) Pursuant to the nondiscriminatory requirements of this
10 section, the Department of Corrections shall promulgate procedures to allow persons
11 incarcerated in the Commonwealth to both receive and donate organs and bone marrow
12 including, but not limited to, protocol; for an emergency donation in support of a family member
13 in need. Any inmate wishing to make or receive an Organ Donation may notify the person(s) in

- 14 charge of the facility where they are in residence by written notice, and the Department of
- 15 Corrections representative in charge of such residence and inmate will refer the matter to outside
- 16 medical review within three days of receipt of such request.