

House Bill 3259

Sponsored by Representatives STARK, WILLIAMSON; Representative SANCHEZ (at the request of Sam Cohen)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Corrections to study and report on creating inmate anatomical donation program to allow donor-eligible inmates to voluntarily donate bone marrow and peripheral blood stem cells.

Sunsets on December 31, 2021.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to anatomical donation; and prescribing an effective date.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1) As used in this section, "donor-eligible" means that a person meets the**
4 **criteria that applies to bone marrow or peripheral blood stem cell donation established in 21**
5 **C.F.R. 1271.75.**

6
7 **(2) The Department of Corrections shall study and develop recommendations on the fea-**
8 **sibility of creating an inmate anatomical donation program that would allow donor-eligible**
9 **inmates in department institutions to voluntarily donate bone marrow and peripheral blood**
10 **stem cells.**

11 **(3) The study must include, but need not be limited to, findings and recommendations on:**

12 **(a) Identifying the transplant or donor programs within this state that are or may be**
13 **willing to accept donations from inmates and determining the requirements of those pro-**
14 **grams that must be fulfilled before those programs will accept donations from inmates;**

15 **(b) Establishing a process for educating inmates about the bone marrow and peripheral**
16 **blood stem cell donation process including:**

17 **(A) The criteria for a person to be donor-eligible;**

18 **(B) The process for determining eligibility;**

19 **(C) The process for donating; and**

20 **(D) The requirements related to informed consent;**

21 **(e) Establishing a process for determining inmate donor eligibility;**

22 **(d) Establishing a process for ensuring appropriate medical care is provided, both prior**
23 **to and after donation, to donor-eligible inmates who choose to donate bone marrow or pe-**
24 **ripheral blood stem cells;**

25 **(e) Identifying the medical risks and risks of infectious diseases related to donating or**
26 **receiving bone marrow or peripheral blood stem cells and establishing a process for mini-**
27 **mizing those risks;**

28 **(f) Determining the need for quarantining a donor-eligible inmate prior to donation as a**
29 **method of reducing medical risks, including the risk of contracting infectious diseases;**

30 **(g) Identifying potential legal risks and liabilities to the department if an adverse medical**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 incident occurs or if an infectious disease is transmitted from a donor-eligible inmate to a
2 recipient;

3 (h) Identifying the operational and fiscal impacts that an inmate anatomical donation
4 program would have on the department, including those in the areas of security, transport,
5 inmate work programs and department personnel and facilities; and

6 (i) Identifying third-party partnerships or resources that may reduce or alleviate the
7 operational or fiscal impact to the department in establishing and operating an inmate ana-
8 tomical donation program.

9 (4) The department shall submit a report, in the manner provided in ORS 192.245, on the
10 recommendations and findings described in subsections (2) and (3) of this section, and may
11 include recommendations for legislation, to an interim committee of the Legislative Assem-
12 bly related to human services not later than September 15, 2020.

13 (5) All agencies of state government, as defined in ORS 174.111, are directed to assist the
14 department in the performance of the duties of the department and, to the extent permitted
15 by laws relating to confidentiality, to furnish information and advice the department con-
16 sidered necessary to perform its duties.

17 SECTION 2. Section 1 of this 2019 Act is repealed on December 31, 2021.

18 SECTION 3. This 2019 Act takes effect on the 91st day after the date on which the 2019
19 regular session of the Eightieth Legislative Assembly adjourns sine die.

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