



First Person Consent For Donation

Introducing The
Revised Uniform Anatomical Gift Act

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1st Person Consent

- Individual's Decision To Donate is Legally Binding
- Now in Missouri, Illinois, and Arkansas
 - Missouri last to adopt, took effect Aug 2008
- Missouri and Illinois Transition from Intent to Consent Registries
- Missouri and Arkansas Implemented Revised Uniform Anatomical Gift Act



Uniform Anatomical Gift Act

- National Conference of Commissioners of Uniform State Laws
 - Original 1968
 - Revised 1987
 - Revised 2006
- 2006 Revision Adopted in Missouri in 2008, Arkansas in 2007



What's New in 2006 Act?

- New and expanded definitions.
- Increased focus on personal autonomy in the donation process.
- Clearer rules on the role of family, friends, and caregivers.
- Tools to facilitate the work of organ procurement organizations.
- Various changes that modernize the Act.



New Definitions

- Adult
- Agent
- Disinterested Witness
- Donor Registry
- Driver's License
- Eye Bank
- Guardian
- Know
- Minor
- Organ Procurement Organization
- Parent
- Prospective Donor
- Reasonably Available
- Recipient
- Record
- Sign
- Tissue Bank
- Transplant Hospital

Individual's Right to Donate

- Simplifies the document of gift and recognizes driver's license donation forms.
- Strengthens individual's right not to donate by permitting signed refusals.
- Permits minors to make gift, with some limitations
- Better prevents others from overriding an individual's decision to make or refuse to make an anatomical gift.

Donations by Others

- Allows agents under a health-care power of attorney may make a gift during an incapacitated individual's lifetime or at time of death.
- Widens the class of individuals authorized to make a gift after the donor's death.
- Provides clearer rules and procedures for the post-death donation decision making process.



Who Can Consent - Missouri

- Agent
- Spouse
- Adult Children
- Parents
- Adult Siblings
- Adult Grandchildren
- Grandparents
- Guardian at Time of Death
- Person authorized to dispose of body

Who Can Consent - Illinois

- Agent under Power Of Attorney for Health Care
- Surrogate Decision Maker under Health Care Surrogate Act
- Guardian
- Spouse
- Adult sons or daughters
- Parents
- Brothers or Sisters
- Grandchild
- Close Friend
- Guardian of Estate
- Person authorized to dispose of body

Other Additions

- If there are any refusals in a given class, the majority of that class determine whether a gift is made.
- Definition of “reasonably available” addresses the time-sensitive nature of the organ donation process.
- Clarifies Reciprocity With Other States

First Person Consent

How to Honor the Gift

- Registry Information is Checked on Every Referral
- Intent and 1st Person Registries
- Registry Information is Provided to Hospital Partners and Families



1st Person Consent

- Recommended Approach – Providing the Family with Information They May Not Have...
 - “Your loved one has made arrangements to be a tissue donor. The staff at Mid-America Transplant Services can guide you through the next steps. I will set up the phone call for you to speak to them.”
 - Family Given a Copy of Registry Information

1st Person Consent

- What MTS Does
 - Completes Medical Social History with Family
 - Disclosure of Donation Process Information
 - Provide Information Packet – Mailed to Family
 - Provide Donor Medal to be Available at the Funeral

1st Person Consent

- Tissue Donation and Hospital Partners
 - Dealing With Objections...
 - Share with the Family That Consent Has Been Given
 - They Will Need to Address Their Concerns to the MTS Staff

1st Person Consent

- Dealing With Objections - MTS
 - Families Will Be Made Aware
 - Consent has been given
 - They can honor their loved one's final wish
 - They do not have legal right to object



1st Person Consent

- Dealing With Objections
 - If Families Continue to Object
 - MTS and Hospital Administration Involved
 - Tissue Donation and Med-Soc
 - We have an ethical and legal responsibility to do everything possible to honor donor's wish.



Implementation

- Consent Forms Modified to Reflect New Law
- Disclosure Forms Adopted to Provide Complete Information to Families
- Education of Hospital Partners Ongoing



Informing The Public

- Missouri Statewide Information Campaign
 - Sponsored by..
 - Missouri Division of Health and Senior Services
 - Mid-America Transplant Services
 - Midwest Transplant Network
 - Heartland Lion's Eye Bank
 - Increase Public Awareness about the Registry
 - Kickoff this Spring

In Summary

- 1st Person Consent and the Revised UAGA....
 - Recognize the Autonomy of the Donor
 - Clarifies and Updates Legal Framework
 - May Be An Opportunity To Increase Donation
 - NOT a Magic Bullet



1st Person Consent Revised UAGA

Thank You!

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