

Concepts

- Federal donation and transplantation guidelines promote policies that ensure that scarce organs are allocated in a way that is fair and equitable.
- Deciding who receives donated organs is not always a clear-cut issue and involves many difficult policy decisions premised on societal interactions among individuals, groups, and institutions.
- Aspects of science and technology have an impact on how society allocates scarce resources.

Overview

Students are asked to decide who should receive a donated organ in various scenarios in which there are two potential recipients, but only one organ. Students formulate and defend their decisions before learning how these decisions would be made under current organ donation policies. Students are then given the opportunity to evaluate these policies and suggest possible policy changes.

Instructional Objectives

By formulating an argument with the assistance of a graphic organizer and participating in a follow-up discussion, students will show—

- an understanding of the difficult situations organ procurement organizations (OPOs) face when trying to provide organs to patients in need.
- an understanding of why laws and policies are needed to govern organ and tissue donation and transplantation.
- the ability to evaluate organ allocation policies on donation and transplantation.
- an understanding of how to defend a position in a debate or in writing.



Materials

Black-line Masters

- Donation Scenarios (4.11)
- Donation Debate Organizer (4.12)
- Donation Scenario Outcomes (4.13)

Introduction

Federal and State laws regulate numerous aspects of the organ donation process. While most media attention focuses on the individual decision to donate organs, another important decision revolves around the recipients of donated organs. Deciding who receives donated organs is not always a clear-cut issue and often involves many difficult policy decisions. The organization responsible for formulating organ allocation policies is the Organ Procurement and Transplantation Network (OPTN).

The OPTN is a private, non-profit organization that links professionals involved in the donation and transplantation system. (All organ procurement organizations and transplant programs that receive organs from deceased donors are required to belong to the OPTN.) Congress established the OPTN when it passed the National Organ Transplant Act of 1984 (NOTA) and provided that the OPTN be administered under a Federal contract. Currently, the OPTN is administered by the United Network for Organ Sharing (UNOS), based in Richmond, Virginia, under a contract with the Health Resources and Services Administration of the U.S. Department of Health and Human Services.

The OPTN develops consensus-based policies and procedures for organ retrieval, distribution (allocation), and transportation within a framework of goals and objectives established by Federal regulation. The two primary goals of the OPTN are to increase the—

- effectiveness and efficiency of organ sharing and equity in the national system of organ allocation.
- supply of donated organs available for transplantation.

You can learn more about OPTN organ allocation policies by visiting:
www.optn.org/policiesAndBylaws/policies.asp.

This lesson provides students with various scenarios in which there are two potential recipients, but only one organ available. Students are asked to decide who should receive the donated organ. Students formulate and defend their decisions before learning how these decisions would be made under OPTN policies on organ allocation. Finally, students are given the opportunity to evaluate these policies and offer possible changes. (For more information on how the organ allocation system works, see **The Waiting List**.)

Procedure

This lesson offers five different scenarios in which two people—both in need of a life-saving organ transplant—would each be a compatible recipient for the same donated organ. The question posed to students in each scenario is: Who should receive the donated organ and why? Set out below are three options for structuring your class to debate these questions.

Option #1: Divide the class into ten groups. Assign one of the ten people depicted in the five scenarios to each group, so that for each scenario there is one group defending each position. Provide a debate organizer to each student and an additional debate organizer for the group. Explain to students that they are to use the organizer to formulate and support an argument supporting their choice. After students complete their group's organizer, have them conduct a short debate in front of the class with the group with the opposing position. After each debate, explain to students how such a case would be decided under current policies. Engage students in a discussion of whether they think these policies are effective in ensuring that donated organs go to the most appropriate candidates or if these policies should be changed.

Option #2: Divide the class into five groups and assign each group to a different scenario. Provide a debate organizer to each student and one debate organizer *transparency* to the group. Have each group decide collectively who they think should receive the donated organ and fill out their organizer transparency to justify their position. Have each group use the overhead projector to present to the class the position they took and their arguments in support of their position. After each presentation, inform students which way each case would be decided under current policies. Engage students in a discussion of whether they think these policies are effective in ensuring that donated organs go to the most appropriate candidates or if these policies should be changed.

Option #3: Randomly assign each student to one of the five scenarios. Provide each student with a debate organizer and ask students to formulate their own position and individually fill out the organizer. For each person depicted in the scenarios, ask a student who has taken the position of that person to read the scenario aloud and explain his or her decision (and justifications for that decision) to the class. Provide students with the Donation Scenario Outcomes so students can see how these difficult decisions would be decided under current policies. As an in-class or homework assignment, ask students to write a persuasive essay evaluating the way these policies determine the allocation of donated organs.

Class Discussion

The following questions may serve as a guide for the discussion:

- What would happen if people were allowed to buy organs from organ procurement organizations or individuals?
- Why has the Federal government created an entity to set policies on how scarce organs will be allocated?
- Do wealthy or famous individuals have ways of obtaining donated organs that are unavailable to most Americans?
- Would it be an infringement of individual rights if we changed the donation policy so that all people are donors unless they sign a card saying they do not want to donate?
- If more or fewer organs were available for transplantation, do you think current organ allocation policies would be changed?

Donation Scenarios

Scenario #1: Michael, a 23-year-old male, is serving the third year of a 20-year jail sentence for three armed robberies and needs a lung transplant. Michael has been on the waiting list for 4 years. Roberta, a 30-year-old teacher and mother of four, also needs a lung transplant and has been on the waiting list for 2 years. An organ procurement organization (OPO) has identified a lung that matches both Michael and Roberta. Michael and Roberta are equally ill. Who do you believe most probably would receive the organ in this situation?

Scenario #2: Carmella, a 45-year-old billionaire CEO of a computer software company, recently discovered she needs a heart transplant. She has offered an organ procurement organization (OPO) \$30 million if she receives a heart transplant immediately. Martha, a 33-year-old receptionist, also needs a heart transplant and has been on the waiting list for one year. The OPO has just identified a heart matching both Carmella and Martha. Martha is sicker than Carmella. Who do you think most probably would receive the organ in this situation?

Scenario #3: Preston is a 35-year-old male living with human immunodeficiency virus (HIV). Can he be placed on the waiting list to receive a liver for transplantation?

Scenario #4: Sophia, a 73-year-old retired nurse who needs a kidney transplant, has been on a waiting list for a kidney for 2 years. Navid, a 21-year-old college student, also needs a kidney transplant and has also been on the waiting list for 2 years. An organ procurement organization (OPO) has just identified a kidney matching both Sophia and Navid. Sophia and Navid are equally ill. Who do you think most probably would receive the organ in this situation?

Scenario #5: Kevin, a three-time scoring champion and recent Most Valuable Player of the National Basketball Association who is 29 years old, has recently been diagnosed with a pancreatic disorder and placed on a waiting list for an organ transplant. Jason, a 31-year-old security guard, has a similar pancreatic disorder and has been on the waiting list for three years. An organ procurement organization (OPO) has just identified a pancreas matching both Kevin and Jason. Kevin and Jason are equally ill. Who do you think most probably would receive the organ in this situation?

Donation Debate Organizer

We / I believe...

Three reasons we / I support this position are:

1:

2:

3:

People who disagree with this position would probably argue these three points:

1:

2:

3:

We / I would respond to their three points by arguing:

1:

2:

3:

Scenario Outcomes Under Current Organ Allocation Policies

Scenario #1: 23-year-old male prisoner and 30-year-old female teacher and mother

In 1976, the Supreme Court ruled that States cannot bar prisoners from access to health care, which would include organ transplants, without violating the Eighth Amendment (“Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted”). The OPTN/UNOS Ethics Committee has stated “Convicted criminals have been sentenced only to a specific punishment, and have not been sentenced by society to an additional punishment of an inability to receive consideration for medical services.” Thus, while both patients are equally ill, Michael, the 23-year-old prisoner would most likely receive the organ over Roberta the 30-year-old teacher and mother because he has been on the waiting list longer.

Scenario #2: Billionaire offers \$30 million for preferential treatment

The National Organ Transplant Act of 1984 made it illegal to buy or sell human organs. Although the \$30 million would be going to a good cause, this money cannot be accepted in return for preferential treatment. While both patients are equally ill, Martha has been on the waiting list longer and would most likely receive the organ.

Scenario #3: 35-year-old living with HIV virus

There is no specific legislation dealing with the right of HIV patients to obtain donated organs and tissues. The OPTN/UNOS Ethics Committee has stated that “transplantation should be carefully considered if the candidate’s reasonable life expectancy is significantly shorter than the reasonably expected ‘life span’ of the transplanted organ.” In an on-line article, CNN correspondent Don Knapp reports that AIDS patients started becoming eligible for transplants in 1997. Knapp reports that hospitals “give organ transplants only to those AIDS patients who have prospects for a good quality of life for a long time.” If Preston’s physicians believe he is a good candidate to receive a liver transplant, he can be listed.

Scenario #4: 73-year-old and 21-year-old both need a kidney transplant

There is no age limit for individuals to receive organ and tissue transplants. The OPTN/UNOS Ethics Committee has stated that “transplantation should be carefully considered if the candidate’s reasonable life expectancy is significantly shorter than the reasonably expected ‘life span’ of the transplanted organ.” There is no clear recipient in this scenario. The decision of who should get the donated organ would be resolved by following OPTN allocation policies that provide a formula to weigh all characteristics, such as time on waiting list, medical condition of both potential recipients, and geographic proximity to the donor.

Scenario #5: NBA basketball star needs a pancreas transplant

According to United Network for Organ Sharing (UNOS), “Factors such as race, gender, age, income, or celebrity status are never considered when determining who receives an organ.” According to this reasoning, a professional athlete, who has celebrity status, should not be given preferential treatment in this scenario. The organ would be allocated according to the OPTN allocation policies.

