

Suspend the Rules and Pass the Bill, H.R. 710, with Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

110TH CONGRESS
1ST SESSION

H. R. 710

To amend the National Organ Transplant Act to clarify that kidney paired donation does not involve the transfer of a human organ for valuable consideration.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2007

Mr. NORWOOD (for himself and Mr. INSLEE) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the National Organ Transplant Act to clarify that kidney paired donation does not involve the transfer of a human organ for valuable consideration.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Charlie W. Norwood
5 Living Organ Donation Act”.

1 **SEC. 2. NATIONAL ORGAN TRANSPLANT ACT; AMENDMENT**
2 **REGARDING PAIRED DONATION OF HUMAN**
3 **KIDNEYS.**

4 (a) IN GENERAL.—Section 301(a) of the National
5 Organ Transplant Act (42 U.S.C. 274e(a)) is amended by
6 adding at the end the following: “The preceding sentence
7 does not apply with respect to the paired donation of
8 human kidneys.”.

9 (b) DEFINITION.—Section 301(c) of the National
10 Organ Transplant Act (42 U.S.C. 274e(c)) is amended by
11 adding at the end the following:

12 “(4) The term ‘paired donation of human kid-
13 neys’ means the donation and receipt of human kid-
14 neys under the following circumstances:

15 “(A) An individual (referred to in this
16 paragraph as the ‘first donor’) desires to make
17 a living donation of a kidney specifically to a
18 particular patient (referred to in this paragraph
19 as the ‘first patient’), but such donor is bio-
20 logically incompatible as a donor for such pa-
21 tient.

22 “(B) A second individual (referred to in
23 this paragraph as the ‘second donor’) desires to
24 make a living donation of a kidney specifically
25 to a second particular patient (referred to in
26 this paragraph as the ‘second patient’), but

1 such donor is biologically incompatible as a
2 donor for such patient.

3 “(C) Subject to subparagraph (D), the
4 first donor is biologically compatible as a donor
5 of a kidney for the second patient, and the sec-
6 ond donor is biologically compatible as a donor
7 of a kidney for the first patient.

8 “(D) If there is any additional donor-pa-
9 tient pair as described in subparagraph (A) or
10 (B), each donor in the group of donor-patient
11 pairs is biologically compatible as a donor of a
12 kidney for a patient in such group.

13 “(E) All donors and patients in the group
14 of donor-patient pairs (whether two pairs or
15 more than two pairs) enter into a single agree-
16 ment to donate and receive such kidneys, re-
17 spectively, according to such biological compat-
18 ibility in the group.

19 “(F) Other than as described in subpara-
20 graph (E), no valuable consideration is know-
21 ingly acquired, received, or otherwise trans-
22 ferred with respect to the kidneys referred to in
23 such subparagraph.”.

1 **SEC. 3. ADDITIONAL FUNDING FOR THE MEDICARE PHYSI-**
2 **CIAN ASSISTANCE AND QUALITY INITIATIVE**
3 **FUND.**

4 Section 1848(l)(2) of the Social Security Act (42
5 U.S.C. 1395w-4(l)(2)) is amended—

6 (1) in subparagraph (A), by adding at the end
7 the following: “In addition, there shall be available
8 to the Fund for expenditures during 2009 an
9 amount equal to \$30,000,000 and for expenditures
10 during or after 2013 an amount equal to
11 \$470,000,000.”; and

12 (2) in subparagraph (B)—

13 (A) in the heading, by striking “FUR-

14 NISHED DURING 2008”;

15 (B) by striking “specified in subparagraph
16 (A)” and inserting “specified in the first sen-
17 tence of subparagraph (A)”;

18 (C) by inserting after “furnished during
19 2008” the following: “and for the obligation of
20 the entire first amount specified in the second
21 sentence of such subparagraph for payment
22 with respect to physicians’ services furnished
23 during 2009 and of the entire second amount
24 so specified for payment with respect to physi-
25 cians’ services furnished on or after January 1,
26 2013”.

Amend the title so as to read: “A bill to amend the National Organ Transplant Act to provide that criminal penalties do not apply to paired donations of human kidneys, and for other purposes.”.