



March 6, 2007

H.R. 710 – Charlie W. Norwood Living Organ Donation Act

Floor Situation

H.R. 710 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by the late Representative Charlie Norwood (R-GA) on January 29, 2007, and has not been considered by any committee in the 110th Congress.

H.R. 710 is expected to be considered on the floor of the House of Representatives on March 6, 2007.

Similar legislation, S. 487 authored by Senator Carl Levin, passed the Senate by unanimous consent on February 15, 2007.

Summary

H.R. 710 amends the National Organ Transplant Act (P.L. 98-507) to state that paired kidney donations are allowable and not to be considered as a violation of the valuable consideration clause of the National Organ Transplant Act (see description below). This legislation would save \$30 million over 5 years and \$470 million over 10 years.

An amended version of the introduced text is expected to be considered on the floor. In the amended version of H.R. 710, the money saved is directed to be used toward the cost of changing Medicare's physician payment formula.

Background

The National Organ Transplant Act prohibits the transfer of a human organ "for valuable consideration," which is meant to prohibit the buying or selling of human organs.

A paired donation can be employed when a person who wants to donate a kidney to a family member or friend cannot do so because they are not biologically compatible. When there are two such incompatible pairs (or more), paired donation allows biologically compatible willing donors to be matched with compatible patients.

Paired donations have never been ruled unlawful and in fact are currently occurring, but the legal status has been clouded somewhat by an earlier Health and Human Services

ruling that paired donations may be in violation of the valuable consideration clause. The intent of this legislation is to clarify the legal status of paired kidney donations.

CBO Estimate

See note in Summary.

Staff Contact

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