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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 38

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to anatomical gifts, living wills, BRU: Motor Vehicles
and do not resuscitate orders. Component: Field Services
 Sponsor: Senator Taylor
 Requestor: S. HESS COMPONENT SERIAL NO. 0502

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()						
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

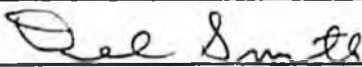
Estimate of current year (FY 97) impact: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill will not fiscally impact the Division of Motor Vehicles

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 1/24/97
 Approved by Commissioner:  Date: 1/29/97
 Agency: Ronald L. Otte, Dept. of Public Safety

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Revision Date: _____
 Title: Anatomical gifts, living wills and do not resuscitate orders
 Sponsor: Taylor
 Requestor: Senate HES

Dept. Affected: Health and Social Services
 BRU: State Health Services
 Component: Community Health/EMS Services
 COMPONENT SERIAL NO. 2078
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	2.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

This bill would require that the Division of Public Health contract for a graphic artist, \$2.0, to design the symbols to be used on bracelet, necklaces and ID cards to alert medical attendants of their choices.

Prepared by: Peter M. Nakamura, MD, MPH
 Division: Public Health
 Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Phone: (907) 465-3090
 Date: 01/29/97
 Date: 1/30/97

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SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 1/24/97

FURTHER: Judiciary

Date of 5-Day Notice: 1/23/97
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2/3/97

HESS Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 38

"An Act relating to anatomical gifts, living wills, and do not resuscitate orders."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Wark</i>	✓	<i>J. Eilers</i>	X		
<i>Brew D. Leman</i>	✓				
<i>Lyle Green</i>	✓				
CHAIR: <i>Gary Wile</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
Dept of Health + Social ^{Services}	1/30/97		✓
Dept of Public Safety	1/29/97	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

Alaska State Legislature

Chairman,
Judiciary Committee

Member,
Resources Committee
Rules Committee
Committee on Committees



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Juneau, Alaska 99801-1182
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352 Front Street
Ketchikan, Alaska 99901
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Fax: (907) 225-0713

Senator Robin L. Taylor

Sponsor Statement

Senate Bill 38

This legislation modifies existing statute dealing with living wills and would add to that statute a provision by which those who execute living wills can choose to become organ or tissue donors. By adding this provision to the statutory language of a living will, loved ones and health professionals would be fully informed of the wishes of family members and patients.

We live in a technological age in which the need for tissue and organ donation has found a much greater demand than supply. While it is not a legitimate function of government to dictate whether or not a person should become an organ or tissue donor, it is certainly a wise practice for government to facilitate this process.

In addition to adding anatomical gifts to the language of a living will, Senate Bill 38 would also instruct the Division of Motor Vehicles to indicate on drivers' licenses not only the fact that the bearer has elected to become an organ donor, but also that the individual has a living will.

Other than nominal expenses, this legislation should cost little to enforce, but may become invaluable if it increases Alaskans' participation in organ and tissue donation. Certainly any one of us, our families and loved ones, could benefit by an organ or tissue donation made less complicated by this bill.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

Alaska State Legislature

replaced

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Judiciary Committee

Member,
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Committee on Committees



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Senator Robin L. Taylor

MEMORANDUM

**TO: Senator Gary Wilken, Chairman
Senate HESS Committee**

FROM: Senator Robin L. Taylor

DATE: 1/30/97

REF: Additional Background Information - SB 38

To get an idea of the scope of organ transplants involving Alaskans, we contacted the Center for Transplant Services at the University of Washington Hospital.

Since 1989, 19 Alaskans have received kidney transplants through that facility. Twelve Alaskans have received liver transplants and one state resident received both a kidney and a pancreas.

To understand the need to make organ donation as uncomplicated as possible, I would like to point out that as of January 24, 1997, this one facility has a waitlist of 20 Alaskans in need of kidney transplants, 11 seeking new livers and one state resident in need of a donated pancreas.

We have requested additional information from the Virginia-based United Network for Organ Sharing, which maintains the national waitlist. I will provide the committee with those statistics when we receive them.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

United Network for Organ Sharing

1

Transplants performed between January 1, 1988 and September 30, 1996

Reported Patient State of Residency: ALASKA
By Year and Organ

Year of Transplant	Organ					Total
	Heart	Kidney	Liver	Lung	Pancreas	
1988	3	1	2	1	0	7
1989	3	6	3	0	0	12
1990	3	10	6	0	0	19
1991	4	21	6	1	1	33
1992	3	13	4	0	1	21
1993	5	15	11	2	0	33
1994	1	18	4	1	0	24
1995	6	24	6	2	0	38
1996	2	15	1	2	0	20
Total	30	123	43	9	2	207

Based on UNOS OPTN/Scientific Registry Data as of January 27, 1997
Data subject to change due to future data submission or correction

United Network for Organ Sharing

Number of Registrations on the Wait List from Reported Residents of Alaska

Organ					
Heart	Kidney	Kidney-Pancreas	Liver	Lung	Total
Number of Registrations	Number of Registrations	Number of Registrations	Number of Registrations	Number of Registrations	Number of Registrations
20	51	2	12	1	66

Based on UNOS OPTN/Scientific Registry data as of January 27, 1997
 Data subject to change based on future data submission or correction.

Letter to EMS Training Coordinator

from

**Jens Saakvitne, Director
Life Alaska**

JAN-30-97 THU 10:21

Alaska EMS Section

FAX NO. 9074654101

JAN-29-97 WED 9:05 AM

ALASKA INC.

FAX NO. 9075925332

JAN-29-1997 9:10AM

FROM LDET/TECH OFFICE 213 342 7163

P. 1

January 29, 1997

Matt Anderson
EMS Training Coordinator
Box 110616
Juneau, AK 99811-0616

Dear Matt:

Thank you for the opportunity to share my thoughts about Senate Bill no. 38. I'm sorry for the delay in getting you a response. I have reviewed the bill; the major impact will probably be the DMV a) trying to ask about and explain the concepts of living wills and DNRs along with their current responsibilities of discussing anatomical gifts; and b), designing a regulation size card, and license sticker which refers to all three options.

Let me address several potential questions:

Is there a difference between organ and tissue donation? Yes, tissue donation can take place up to 24 hr after the heart has stopped. Organ donation can only occur when brain death is declared in the hospital while a patient is on a ventilator and still has a heartbeat. It is best for a bill to refer to "Anatomical Gifts" to encompass any possible type of donation.

Is there a potential conflict for EMS personnel outside the hospital when finding a victim who has both a DNR card and an anatomical gift card? No, there is absolutely no conflict. If a person is in cardio arrest with a DNR order or legal card, honor the person's wishes and do not resuscitate. For a person to be a potential organ donor, they must be fairly young and in excellent health prior to a catastrophic event which will leave them with an intact cardiovascular system. It is not appropriate to ignore a DNR order for the slight chance of organ donation at a later time. While honoring a DNR order, there will probably be an option of tissue donation.

It would be exceedingly helpful if the EMS personnel would ensure that a hospital, the State Medical Examiner, or Life Alaska is notified of the person's donor card. This has long been legislated but almost never implemented.

What will the effect be of combining a DNR, Living Will, and an Anatomical Gift with all the other responsibilities of the DMV? It will probably be chaotic for some time. We are willing to staff the Anchorage Office with Volunteers to help, but I am not sure of the real benefits of combining complex ideas for an already overworked staff.

JAN-29-97 WED 8:12 AM

213 342 7163

P. 1

JAN-30-97 THU 10:21

Alaska EMS Section

FAX NO. 9074654101

P. 03

JAN-29-97 WED 9:05 AM

ALASKA INC.

FAX NO. 907462 5333

1-29-1997 9:11AM

FROM DETS/TECH OFFICE 213 342 7163

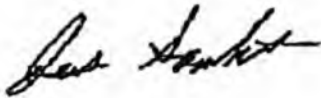
P. 2

There is already a statute calling for bracelets and necklaces for DNR and Living Wills; the addition of an anatomical gift may not have a major effect one way or another.

Because tissue donation is performed by non physician coordinators in Alaska and throughout the states, AS Sec 13.50.030 (d) "designating the surgeon or physician to carry out the appropriate procedure for removing or transplanting a part of the decedent's body" is needless and somewhat confusing. It would be helpful if the law were to refer to "An appropriate Alaska organ or tissue bank". I understand this is not your focus. I will be conveying this idea to Senator Taylor.

I hope this was of some help can be reached today and tomorrow by pager, just call Life Alaska at 800-719-5433 and they will give me the message. Thank you for your interest.

Sincerely,



Jens Saakvitne
Director

JAN-29-97 WED 8:13 AM

213 342 7163

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