

ASSEMBLY RESOLUTION No. 212

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 11, 2021

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Supporting NJ Sharing Network and opposing new federal rules on organ procurement organizations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/22/2021)

1 **AN ASSEMBLY RESOLUTION** supporting the NJ Sharing Network
2 and opposing the new federal rules on organ procurement
3 organizations.

4
5 **WHEREAS**, The organ procurement organizations serving New
6 Jersey have seen record levels of success in increasing organ
7 donor registration and recoveries and, as a result, have saved the
8 lives of 15,372 citizens over the past 32 years; and

9 **WHEREAS**, Even amidst the COVID-19 pandemic, New Jersey
10 procurement organizations and transplant hospitals have
11 continued their successful partnership to save lives through
12 transplants, with levels of transplants equaling numbers from
13 preceding years; and

14 **WHEREAS**, The donation rate achieved by the NJ Sharing Network,
15 New Jersey's largest organ procurement organization, has
16 increased at a rate of 35 percent over the past five years; and

17 **WHEREAS**, The NJ Sharing Network has demonstrated particular
18 success in its outreach to minority and disadvantaged persons in
19 New Jersey; and

20 **WHEREAS**, Despite these record gains, the Trump administration has
21 implemented a new performance review process for organ
22 procurement organizations under 42 C.F.R. Part 486, which
23 threatens to shut down as many as half of the organ procurement
24 organizations in the country in the next five years, with no plans for
25 an alternate infrastructure to save the lives of nearly 4,000 New
26 Jersey citizens awaiting life-saving organs; and

27 **WHEREAS**, The data upon which the Trump Administration is
28 purporting to base its actions are not only inaccurate and biased but
29 prohibited from such use by a federal contract executed between the
30 Department of Health and the National Center for Health Statistics,
31 which restricts the use of state-provided death certificate data to
32 only medical and health research; and

33 **WHEREAS**, It is in the best interest of this State and health of its
34 citizens to oppose the enforcement of 42 C.F.R. Part 486, which
35 threatens to significantly reduce the number of organ procurement
36 organizations based on inaccurate and invalid data; now, therefore,

37
38 **BE IT RESOLVED** by the General Assembly of the State of New
39 *Jersey:*

40
41 1. This House condemns the enforcement of any regulation
42 purporting to assess any organ procurement organization's
43 performance based upon standards derived from inaccurate and
44 invalid data.

45
46 2. This House further urges the State of New Jersey to enforce
47 its contract with the National Center for Health Statistics, which
48 restricts the use of state-provided death certificate data to only

1 medical and health research and specifically prohibits its use in
2 regulation and legislation such as that contained in 42 C.F.R. Part
3 486.

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5 3. Copies of this resolution, as filed with the Secretary of State,
6 shall be transmitted by the Clerk of the General Assembly to the
7 President of the United States, the United States Secretary of Health
8 and Human Services, and the Governor.

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11 STATEMENT

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13 This resolution condemns the enforcement of any regulation,
14 including, but not limited to 42 C.F.R. Part 486, which purports to
15 assess any organ procurement organization's performance based
16 upon standards derived from inaccurate and invalid data. The
17 resolution further urges the State of New Jersey to enforce its
18 contract with the National Center for Health Statistics, which
19 restricts the use of state-provided death certificate data to only
20 medical and health research and specifically prohibits the use of
21 such data for the purposes of regulation and legislation.

22 The organ procurement organizations serving New Jersey have
23 seen record levels of success in increasing organ donor registration
24 and recoveries and as a result, have saved the lives of 15,372
25 citizens over the past 32 years. The donation rate achieved by the
26 NJ Sharing Network, New Jersey's largest organ procurement
27 organization, has increased at a rate of 35 percent over the past five
28 years. Despite these record gains, the Trump administration has
29 implemented a new performance review process for organ
30 procurement organizations under 42 C.F.R. Part 486, which
31 threatens to shut down as many as half of the organ procurement
32 organizations in the country in the next five years, with no plans for
33 an alternate infrastructure to save the lives of nearly 4,000 New
34 Jersey citizens awaiting life-saving organs. The data upon which
35 the Trump Administration is purporting to base its actions are not
36 only inaccurate and biased but prohibited from such use by a federal
37 contract between the Department of Health and the National Center
38 for Health Statistics, which restricts the use of state-provided death
39 certificate data to only medical and health research. It is in the best
40 interest of this State and health of its citizens to oppose the
41 enforcement of 42 C.F.R. Part 486 and other similar regulations that
42 threaten to significantly reduce the number of organ procurement
43 organizations based on inaccurate and invalid data.