

# ASSEMBLY HEALTH COMMITTEE

## STATEMENT TO

### ASSEMBLY RESOLUTION No. 212

with committee amendments

# STATE OF NEW JERSEY

DATED: MARCH 8, 2021

The Assembly Health Committee reports favorably and with committee amendments Assembly Resolution No. 212.

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

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

#### COMMITTEE AMENDMENTS:

The committee amendments update references to former President Trump's administration.