

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

2006 Fall
Supp.

West Group
Publisher

To establish an organ and tissue donor registry, to require that the federally designated organ procurement organization maintain the registry, and to require the Department of Motor Vehicles to transfer donor information to the registry on an established basis to ensure that the registry is maintained with accurate and up-to-date information.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Organ and Tissue Donor Registry Establishment Act of 2006".

Sec. 2. Establishment of the organ and tissue donor registry.

There is hereby established an organ and tissue donor registry ("Registry") for residents of the District of Columbia, which shall be maintained by the federally designated organ procurement organization serving the District of Columbia.

Sec. 3. Access to Registry information.

Unless otherwise authorized by District of Columbia or federal law, information in the Registry shall be accessible only to:

- (1) The organ procurement organization serving the District of Columbia; and
- (2) An agency licensed in or authorized by the laws of another state, when a District resident is a donor of an anatomical gift and is not located in the District of Columbia at the time of donor's death or immediately before the time of death.

Sec. 4. Sources of Registry information.

The organ procurement organization:

- (1) May acquire and use donor information from all available sources; and
- (2) Shall acquire and use donor information from the Department of Motor Vehicles submitted in accordance with section 5 and with any regulations promulgated pursuant to this act.

Sec. 5. Department of Motor Vehicles transfer of information requirements.

(a) The Department of Motor Vehicles shall transfer to the designated organ procurement organization the name, gender, date of birth, and most recent address of any person who obtains an operator's permit or identification card and who has made or revoked an anatomical gift.

(b)(1) The initial transfer of donor information shall be transferred to the organ procurement organization by the Department of Motor Vehicles within 30 days of receipt of a written request from the organ procurement organization.

(2) All subsequent transfers of donor information, new and revisions to previously submitted information, shall be submitted monthly, or as otherwise determined by the Mayor, at no charge to the organ procurement organization.

Sec. 6. Donor status not dependent on being listed in Registry.

A person shall not be required to be listed in the Registry to be a donor of organs or tissue.

Sec. 7. Rulemaking.

The Mayor is authorized to promulgate rules necessary to implement this act.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia