

1 ENGROSSED SENATE
2 BILL NO. 752

By: Treat of the Senate

3 and

4 O'Donnell of the House

5
6 An Act relating to organ donation and procurement;
7 amending 63 O.S. 2011, Section 2151.1, which relates
8 to certain restrictions; permitting procurement of
9 certain specimens under certain circumstances;
10 clarifying language; and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 63 O.S. 2011, Section 2151.1, is
13 amended to read as follows:

14 Section 2151.1. No ~~human sperm, tissue or organ~~ reproductive
15 tissue shall be procured for donation purposes from any person
16 testing positive for the human immunodeficiency virus infection.
17 Organ and tissue may be procured for donation purposes from any
18 person testing positive for the human immunodeficiency virus (HIV)
19 infection provided such procurement and donation are consistent with
20 the HIV Organ Policy Equity (HOPE) Act (P.L. 113-51, 127 Stat. 579
21 (2013)) and the regulations promulgated thereunder by the Organ
22 Procurement and Transplantation Network and the United States Food
23 and Drug Administration.

1 1. Every donor, donor candidate or tissue or organ to be
2 donated shall be tested for ~~said~~ the virus infection immediately
3 prior to the donation of ~~sperm~~, reproductive tissue or ~~tissues~~
4 tissue or organs for transplant. If such test has not been
5 conducted immediately prior to the donation, then the test shall be
6 conducted immediately prior to the implantation of the donor organ
7 or tissue.

8 2. If the donor is living, the donor shall be notified of the
9 test results. Notification shall be consistent with donor
10 confidentiality and with the requirements of state and federal law.
11 The hospital or other facility responsible for the ~~sperm~~
12 reproductive tissue, tissue or organ donation shall provide directly
13 or otherwise make available appropriate information and counseling
14 services to ~~sperm~~ reproductive tissue donors and to living tissue or
15 organ donors.

16 SECTION 2. This act shall become effective November 1, 2017.

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