

One Hundred Eighteenth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the third day of January, two thousand and twenty-three*

An Act

To improve the Organ Procurement and Transplantation Network, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Securing the U.S. Organ Procurement and Transplantation Network Act”.

SEC. 2. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.

Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended—

(1) in subsection (a)—

(A) by striking “The Secretary shall by contract” and inserting “IN GENERAL—The Secretary shall”;

(B) by striking “establishment and” and inserting “continued”; and

(C) by striking the second and third sentences and inserting “The Secretary may award grants, contracts, or cooperative agreements, as the Secretary determines appropriate, for purposes of carrying out this section.”; and

(2) in subsection (b), by striking “(b)(1) The Organ Procurement” and all that follows through the end of subparagraph (A) of paragraph (1) and inserting the following:

“(b) COMPOSITION.—

“(1) IN GENERAL.—The Organ Procurement and Transplantation Network shall—

“(A) be operated through awards to public or private entities made by the Secretary that are distinct from the awards made to support the organization tasked with supporting the board of directors described in subparagraph (B); and”.

SEC. 3. TECHNICAL AMENDMENTS.

Title III of the Public Health Service Act is amended—

(1) in section 371(b)(1)(H)(i)(III) (42 U.S.C. 273(b)(1)(H)(i)(III)), by striking “histocompatibility” and inserting “histocompatibility”;

(2) in section 374(c)(2) (42 U.S.C. 274b(c)(2)), by striking “section 371 or 373” each place it appears and inserting “section 371, 372, or 373”;

(3) in section 375 (42 U.S.C. 274c)—

(A) by striking the comma at the end of each of paragraphs (1) and (2) and inserting a semicolon;

(B) in paragraph (3), by striking “transplants, and” and inserting “transplants; and”; and

(C) in paragraph (4), by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(4) in section 376 (42 U.S.C. 274d)—

(A) by striking “February 10 of 1991 and of each second year thereafter” and inserting “2 years after the date of enactment of the Securing the U.S. Organ Procurement and Transplantation Network Act and every second year thereafter”; and

(B) by striking “Committee on Labor and Human Resources of the Senate.” and inserting “Committee on Health, Education, Labor, and Pensions of the Senate.”.

SEC. 4. GAO REVIEW.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) to the extent data are available, conduct a review of the historical financing of the Organ Procurement and Transplantation Network described in section 372 of the Public Health Service Act (42 U.S.C. 274), including the utilization of registration fees among entities that have previously been awarded contracts under such section 372; and

(2) submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the review under paragraph (1), including related recommendations, as applicable.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*