

118TH CONGRESS
1ST SESSION

S. 1668

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

IN THE SENATE OF THE UNITED STATES

MAY 17, 2023

Mr. WYDEN (for himself, Mr. GRASSLEY, Mr. CARDIN, Mr. YOUNG, Mr. CASIDY, Ms. WARREN, Mr. MORAN, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. ORGAN PROCUREMENT AND TRANSPLANTATION**
7 **NETWORK.**

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

1 (1) in subsection (a)—

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

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

7 (C) by striking the second and third sen-
8 tences and inserting “The Secretary may award
9 grants, contracts, or cooperative agreements, as
10 the Secretary determines appropriate, for pur-
11 poses of carrying out this section.”; and

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

16 “(b) COMPOSITION.—

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

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

1 **SEC. 3. TECHNICAL AMENDMENTS.**

2 Title III of the Public Health Service Act is amend-
3 ed—

4 (1) in section 371(b)(1)(H)(i)(III) (42 U.S.C.
5 273(b)(1)(H)(i)(III)), by striking
6 “histocompatability” and inserting
7 “histocompatibility”;

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

11 (3) in section 375 (42 U.S.C. 274c)—

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

15 (B) in paragraph (3), by striking “trans-
16 plants, and” and inserting “transplants; and”;
17 and

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

21 (4) in section 376 (42 U.S.C. 274d)—

22 (A) by striking “February 10 of 1991 and
23 of each second year thereafter” and inserting
24 “2 years after the date of enactment of the Se-
25 curing the U.S. Organ Procurement and Trans-

1 plantation Network Act and every second year
2 thereafter”; and

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

7 **SEC. 4. GAO REVIEW.**

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

11 (1) to the extent data are available, conduct a
12 review of the historical financing of the Organ Pro-
13 curement and Transplantation Network described in
14 section 372 of the Public Health Service Act (42
15 U.S.C. 274), including the utilization of registration
16 fees among entities that have previously been award-
17 ed contracts under such section 372; and

18 (2) submit to the Committee on Health, Edu-
19 cation, Labor, and Pensions and the Committee on
20 Finance of the Senate and the Committee on Energy
21 and Commerce of the House of Representatives a re-
22 port on the review under paragraph (1), including
23 related recommendations, as applicable.

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