

BILL ANALYSIS

Senate Research Center
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S.B. 1226
By: Nelson
Health & Human Services
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As Filed

DIGEST AND PURPOSE

Current Texas law does not require the implementation of two patient pools relating to the allocation of kidneys available for transplant in this state. As proposed, S.B. 1226 requires the implementation of two patient pools, one consisting of patients who have been on a waiting list for at least three years and the other consisting of those patients highly sensitized to rejecting an organ regardless of waiting time.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Health in SECTION 1 (Section 161.452, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 161, Health and Safety Code, by adding Subchapter R, as follows:

SUBCHAPTER R. ALLOCATION OF KIDNEYS AVAILABLE FOR TRANSPLANT

Sec. 161.451. DEFINITION. Defines "organ procurement organization."

Sec. 161.452. DEPARTMENT RULES. Requires the Texas Department of Health (TDH), to the extent allowed by federal law, by rule to require the system for allocating kidneys available for transplant in this state to conform to the requirements of this subchapter.

Sec. 161.453. FORMATION OF PATIENT POOLS AND ORGAN SHARING POOL.
(a) Requires two statewide pools of patients who need kidney transplants to be formed under the system for allocating kidneys available for transplant in this state. Provides that one pool will consist of patients in this state with low panel reactive antibodies, and the other pool will consist of patients in this state with high panel reactive antibodies.

(b) Provides that patients in the low panel reactive antibodies pool will be eligible to participate in an organ sharing pool that must be created under the allocation system. Requires the procedures of the organ sharing pool to provide that 20 percent of the kidneys available for transplant to patients in this state who are served by any one of the organ procurement organizations that have a defined service area that includes all or part of this state must also be made available to patients in the low panel reactive antibodies pool who are served by any of the other organ procurement organizations that have a defined service area that includes all or part of this state.

SECTION 2. Effective date: upon passage or September 1, 2003.