

ORGAN TRANSPLANTS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4762 as reported from committee
Sponsor: Rep. Bronna Kahle
Committee: Health Policy
Complete to 6-15-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4762 would amend Part 102 (Disposition of Human Body Parts) of the Public Health Code to prohibit discrimination in awarding an *organ* transplant to a person with a *disability*.

Organ would mean a human kidney, liver, heart, lung, pancreas, or intestine or multivisceral organs when transplanted at the same time as an intestine.

Disability, as defined in the U.S. Code, would mean a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

Specifically, the bill would prohibit a person that performs organ transplants in Michigan from doing any of the following regarding an organ transplant to an individual with a disability based solely on the individual's disability:

- Refusing to transplant an organ in the individual.
- Denying the individual evaluation, referral, surgery, counseling, or postoperative treatment for an organ transplant.
- Refusing to place the individual on an organ transplant waiting list or lowering the individual's priority on that waiting list.

Proposed MCL 333.10251

FISCAL IMPACT:

House Bill 4762 would have no fiscal impact on the state or local units of government.

POSITIONS:

Representatives of the following entities testified in support of the bills (5-20-21):

Fat Legal Advocacy, Rights, and Education Project (FLARE)
National Down Syndrome Society of Michigan
University of Michigan Transplant Center

The following entities indicated support for the bill:

Michigan Disability Rights Coalition (5-20-21)
Down Syndrome Association of West Michigan (5-20-21)

Arc Michigan (5-20-21)
BCBS of Michigan (5-27-21)
Ascension Michigan (5-27-21)
Disability Rights Michigan (5-27-21)
GiGi's Playhouse Detroit (5-19-21)

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Susan Frey

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.