

## FISCAL NOTE

August 15, 2017

<b>Bill No:</b>	SB 180	<b>Printer's No:</b>	923	<b>Sponsor:</b>	Greenleaf (R)
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### COST / (SAVINGS)

Fund (s)	2016-17	2017-18
Organ and Tissue Donation Awareness Trust Fund – Estimated Revenue	\$0	(\$1,611,000)
Organ and Tissue Donation Awareness Trust Fund - Cost	\$0	\$225,000
State Board Medicine	\$0	\$13,000
State Board of Osteopathic Medicine	\$0	\$13,000
State Board of Nursing	\$0	\$13,000

**SUMMARY:** Title 20 (Decedents, Estates and Fiduciaries) would be amended to increase the optional organ donor contribution amount from \$1.00 to \$3.00, to provide for reimbursement from the Organ and Tissue Donation Awareness Trust Fund for costs incurred in the initial development and implementation of the contribution program, to provide for a comprehensive framework for public education regarding organ and tissue donations and to provide for the promulgation of regulations and a statement of policy concerning organ and tissue instruction and recovery.

**ANALYSIS:** Senate Bill 180 would require that the Department of Transportation (DOT), no later than 10 months after the effective date under this act, increase the current optional contribution to the Organ and Tissue Donation Awareness Fund from \$1.00 to \$3.00. The contribution would be added to the regular fee for an original or renewal driver's license, identification card or renewal vehicle registration. The Organ and Tissue Donation Awareness Trust Fund would be required to reimburse DOT for the costs incurred in the initial development and implementation of the contribution program and any additional costs that would arise from the changes that are agreed to by both DOT and the organ donation advisory committee.

The bill would statutorily designate the Department of Health (DOH) would as the lead agency responsible for promoting organ and tissue donation in the commonwealth. Additionally, liaison duties would be added to the existing program coordinator within DOH to promote collaborative efforts between other commonwealth agencies. Currently, DOH receives funds for the advisory committee and other organ donation awareness projects.

The bill would also statutorily require the Department of Education (PDE), in consultation with organ procurement organizations, to review the commonwealth's educational curriculum to ensure that information concerning organ and tissue donation would be included in the class curriculum for students in grades nine through 12. Institutions of higher education would also be

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required to provide information on organ donation to their students. PDE currently receives 25 percent of the remaining revenues to the Organ and Tissue Donation Awareness Trust Fund for organ donation awareness programs in secondary schools.

The State Board of Medicine, the State Board of Osteopathic Medicine and the State Board of Nursing would be required, in collaboration with the designated organ procurement organizations, to promulgate regulations stating requirements for physician and professional nurse training. The requirements would include two hours of instruction in organ and tissue donation and recovery in each college of medicine, osteopathy, or educational program of professional nursing, this instruction would be a condition of receiving a degree as a doctor of medicine or osteopathy and must be offered as part of continuing education credit. The three boards would also be required to issue a statement of policy encouraging physicians and nurses who, prior to the effective date under this act, were not required to receive and did not receive instruction in organ and tissue donation and recovery as part of their medical, osteopathic or nursing school curriculum, to complete training within three years of the effective date.

The Legislative Budget and Finance Committee would be required to conduct a study evaluating the funding of certified organ procurement organizations operating in the commonwealth within one year of the effective date. Copies of the study would be submitted to the Senate Public Health and Welfare and the Judiciary Committee, as well as the House Health and the Judiciary Committee.

The section under this act relating to contributions to the Organ and Tissue Donation Awareness Trust Fund would be effective immediately upon passage. The section relating to the completion of a study evaluating the funding of certified organ procurement organizations operating in the commonwealth would be effective 90 days upon passage. The remainder of this act would be effective 60 days upon passage.

**FISCAL IMPACT:** If the same level of support to the Organ and Tissue Donation Awareness Trust Fund would be maintained, approximately \$1,611,000 in revenues could be generated through the contribution increase from \$1.00 to \$3.00, as established under this act. This is based on the average of five-year actuals and consideration of Act 89 of 2013, which changed the motor vehicle registrations to an optional biennial registration cycle.

<b>Five-Year History of Cash Receipts for Organ and Tissue Donations</b>							
<b>(Dollar Amounts in Thousands)</b>							
<b>Receipts</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>Average</b>	<b>Average Recalculations</b>
Driver's License Applicants	\$ 286	\$ 311	\$ 239	\$ 263	\$ 260	\$ 272	\$ 272
Motor Vehicle Registrations	\$ 583	\$ 558	\$ 496	\$ 513	\$ 494	\$ 529	\$ 265
<b>Total</b>	<b>\$ 869</b>	<b>\$ 869</b>	<b>\$ 735</b>	<b>\$ 776</b>	<b>\$ 754</b>	<b>\$ 801</b>	<b>\$ 537</b>

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### **Department of Transportation (DOT)**

DOT would incur a one-time cost of \$225,000 in Fiscal Year (FY) 2017-18 for changing the driver's license and vehicle registration system to increase the current optional contribution from \$1.00 to \$3.00. Because the Motor License Fund (MLF) monies are constitutionally restricted to highway construction, maintenance and safety programs, the Organ and Tissue Donation Awareness Trust Fund would be required to reimburse DOT for the costs to update the driver's license and vehicle registration system to reflect the contribution increase.

### **Department of State (DOS)**

DOS would incur a cost of \$39,000 to promulgate regulations and statement of policies requiring schools to include instruction in organ and tissue donation. However, this cost would be absorbed within the State Board of Medicine, State Board of Osteopathic Medicine and the State Board of Nursing restricted accounts.

### **Department of Education (PDE)**

No fiscal impact would be expected to PDE, as PDE already receives funding to support organ donation for education purposes.