

A MEMORIAL

REQUESTING THAT NEW MEXICANS RECEIVE PRIORITY FOR RECEIPT OF
ORGANS DONATED BY OTHER NEW MEXICANS WHENEVER SUITABLE.

WHEREAS, organ donation shortages are a chronic problem
in New Mexico as well as other states; and

WHEREAS, the United States department of health and
human services has adopted a rule that will change the way
organ donations are allocated, and the new rule, if
implemented, will require a national ranking of recipients
and a nationwide allocation of organs; and

WHEREAS, the new rule will mean that a vascular organ
donation from a New Mexico family will not be offered first
to a compatible New Mexico recipient; and

WHEREAS, congress has delayed implementation of the
rule, but its existence is still a threat to the nation's
current organ donation system, which was devised by the
consensus of transplant professionals, recipients and donor
families to serve the interests of the vast majority of
patients awaiting transplants; and

WHEREAS, several states have passed laws to negate the
effect of the rule, other states have passed resolutions
urging the secretary of health and human services to rescind
the rule and at least one state has filed a lawsuit to stop
implementation of the rule; and

WHEREAS, while the final implementation of the new rule

may be in the hands of congress and the courts, New Mexico's organ procurement organization can take steps to ensure that New Mexicans receive priority for receipt of organs donated in this state;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that New Mexico's procurement organization be requested to use its best efforts to determine if there is a suitable New Mexico recipient when an anatomical gift of a vascular organ is made in New Mexico; and

BE IT FURTHER RESOLVED that the procurement organization be encouraged to enter into reciprocal agreements with other states' procurement organizations for the sharing of vascular organs; and

BE IT FURTHER RESOLVED that the procurement organization also transfer a vascular organ to a procurement organization or suitable recipient in another state only if a suitable recipient cannot be found in New Mexico within a reasonable time or the New Mexico procurement organization has a reciprocal agreement for the sharing of vascular organs with a procurement organization in that state; and

BE IT FURTHER RESOLVED that New Mexico hospitals, in collaboration with the procurement organization, develop a protocol for identifying potential donors that provides that at or near a patient's death and prior to removal of life support, the hospital contacts the procurement organization

to determine the suitability of the patient as a donor; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico organ procurement organization, the New Mexico hospital association, the New Mexico medical society and the department of health. _____
