



THE FITZGIBBON GROUP

association management - government relations - strategic planning

To: Members of the House Civil Justice Committee

From: Michelle Fitzgibbon,
On Behalf of Lifebanc, Life Center, Life Connection and Lifeline of Ohio

Date: June 1, 2020

RE: House Bill 464

Amendment 1689X1 to House Bill 464 would amend Ohio Revised Code Sections 2108.05 and 2133.16 to remove the language that would allow an individual to make an anatomical gift declaration through their living will.

Ohioans primarily register to become donors through the Ohio Donor Registry, which is maintained at the Ohio Bureau of Motor Vehicles. Organ procurement organizations, tissue banks and eye banks have access to the registry at the time of an individual's death to determine if an individual consented to donation.

By removing this provision from the Ohio Revised Code, estate planners will be able to direct Ohioans to the Ohio Donor Registry, which will provide individuals with information to register directly through the Ohio BMV. This will ensure that an Ohioan's intent to register is documented in a location that is easily retrievable. Often, living wills are not known by a decedent's loved one(s), or if known, is not readily available within the time-sensitive process of organ donation to determine if a choice of an anatomical gift had been made. Additionally, by directing individuals to the donor registry, they can obtain information to address any questions they may have about donation and may find that they have already registered.

The Ohio Bureau of Motor Vehicles maintains the state donor registry that identifies each individual who has agreed to make an anatomical gift by a designation on a driver's license or identification card as provided in division (A)(1) of section 2108.05 of the Revised Code.

This amendment was worked on in collaboration with the Ohio State Bar Association and we would urge the committee to favorably accept this amendment.