



767912

LEGISLATIVE ACTION

Senate

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House

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The Committee on Judiciary (Harrell) recommended the following:

**Senate Amendment**

Delete lines 136 - 215

and insert:

transplantation facility may not charge a deceased donor or his  
or her family member any fee for services relating to the  
procurement or donation of the deceased donor's organs. An organ  
transplantation facility may not charge a living donor for  
services relating to the procurement or donation of his or her  
organs.

Section 6. Section 765.53, Florida Statutes, is amended to



767912

12 read:

13 (Substantial rewording of section. See  
14 s. 765.53, F.S., for present text.)

15 765.53 Organ Transplant Technical Advisory Council.-

16 (1) CREATION AND PURPOSE.-The Organ Transplant Technical  
17 Advisory Council, an advisory council as defined in s. 20.03, is  
18 created within the agency to develop standards for measuring  
19 quality and outcomes of adult and pediatric organ transplant  
20 programs. In order to increase the number of organs available  
21 for transplantation in this state, the council shall advise the  
22 agency and the Legislature regarding the cost savings, trends,  
23 research, and protocols and procedures relating to organ  
24 donation and transplantation, including the availability of  
25 organs for donation, organ donor benefits, and access to organ  
26 transplants for persons with disabilities. Unless expressly  
27 provided otherwise in this section, the council shall operate in  
28 a manner consistent with s. 20.052.

29 (2) MEMBERS.-

30 (a) Voting members of the council must have technical  
31 expertise in adult or pediatric organ transplantation. The chief  
32 executive officers of the following organ transplantation  
33 facilities shall each appoint one representative, who must be an  
34 organ transplant nurse coordinator licensed under chapter 464 or  
35 an organ transplant surgeon licensed under chapter 458 or  
36 chapter 459, to serve as a voting member of the council:

37 1. Jackson Memorial Hospital in Miami.

38 2. Tampa General Hospital in Tampa.

39 3. University of Florida Health Shands Hospital in  
40 Gainesville.



767912

41 4. AdventHealth Orlando in Orlando.

42 5. Mayo Clinic in Jacksonville.

43 6. Cleveland Clinic Florida in Weston.

44 7. Largo Medical Center in Largo.

45 8. Broward Health Medical Center in Fort Lauderdale.

46 (b) Voting members of the council must reflect the ethnic  
47 and gender diversity of this state.

48 (c) The Secretary of Health Care Administration shall serve  
49 as the chair and a nonvoting member of the council.

50 (d) The Secretary of Health Care Administration shall  
51 appoint the following individuals to serve as voting members of  
52 the council:

53 1. The State Surgeon General or his or her designee.

54 2. A parent of a child who has had an organ transplant.

55 3. An adult who has had an organ transplant.

56 4. An adult patient who is on an organ transplant waiting  
57 list.

58 5. A licensed pediatric and adult organ transplant  
59 physician for each of the following areas:

60 a. Kidneys.

61 b. Lungs.

62 c. Heart.

63 d. Liver.

64 e. Pancreas.

65 6. A representative from an organ procurement organization.

66 7. An administrator of an organ transplant program.

67 (e) Appointments made under paragraph (a) are contingent  
68 upon the hospital's compliance with chapter 395 and rules  
69 adopted thereunder. A member of the council appointed under



767912

70 paragraph (a) whose hospital fails to comply with such law and  
71 rules may serve only as a nonvoting member until the hospital  
72 comes into compliance.

73 (f) Any vacancy on the council must be filled in the same  
74 manner as the original appointment. Members are eligible for  
75 reappointment.

76 (g) Members of the council shall serve without compensation  
77 but may be reimbursed as provided in s. 112.061 for per diem and  
78 travel expenses incurred in the performance of their duties  
79 under this section.

80 (3) MEETINGS.—The council shall meet at least twice  
81 annually and upon the call of the chair. The council may use any  
82 method of telecommunications to conduct its meetings.

83 (4) DUTIES.—The council shall recommend to the agency and  
84 the Legislature the standards for quality care of adult and  
85 pediatric organ transplant patients, including recommendations  
86 on minimum volume of transplants by organ type, personnel,  
87 physical plant, equipment, transportation, and data reporting  
88 for hospitals that perform organ transplants. The council may  
89 further advise the agency and the Legislature regarding research  
90 focused on improving overall organ availability and benefits for  
91 organ donors. A voting member