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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/13/2020	.	
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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



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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.



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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



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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