

HB 1053

2023

1                   A bill to be entitled  
2           An act relating to organ donation; providing a short  
3           title; amending s. 395.2050, F.S.; requiring the  
4           Department of Health to adopt rules to streamline  
5           medical testing and transfer medical records for  
6           certain entities; providing an effective date.

7  
8           WHEREAS, Nancy Whited suffered from polycystic kidney  
9           disease and scleroderma, her declining kidney function required  
10          her to have kidney dialysis and eventually a kidney transplant,  
11          and

12          WHEREAS, unfortunately Nancy was removed from the kidney  
13          transplant list due to complications from an error in a  
14          prescribed medication that affected her bone marrow, and

15          WHEREAS, despite her reluctance to ask, several individuals  
16          stepped forward as live donor candidates for Nancy, leaving two  
17          candidates as perfect matches, and

18          WHEREAS, as one donor seemingly became lost in the  
19          paperwork process, the other donors moved further in the  
20          process; however, it took nine months to get the tests  
21          scheduled, and

22          WHEREAS, Nancy Whited went in for the transplant procedure  
23          but her cardiac function had decreased so significantly that the  
24          procedure caused her to go into heart failure which eventually  
25          ended her life, and

26 WHEREAS, while no one can definitively state that an  
 27 earlier transplant would have extended Nancy's life  
 28 significantly, any reasonable person would say that a healthier  
 29 organ recipient is more likely to have a better outcome, NOW,  
 30 THEREFORE,

31  
 32 Be It Enacted by the Legislature of the State of Florida:

33  
 34 Section 1. This act may be cited as "Nancy's Law."

35 Section 2. Subsection (4) is added to section 395.2050,  
 36 Florida Statutes, to read:

37 395.2050 Routine inquiry for organ and tissue donation;  
 38 certification for procurement activities; death records review.—

39 (4) The department shall adopt rules that establish  
 40 standards to streamline:

41 (a) Medical testing of living organ donors by eliminating  
 42 redundant medical testing if prior testing was done within a  
 43 specific time.

44 (b) The transfer of medical records between physicians of  
 45 donors and recipients.

46 Section 3. This act shall take effect July 1, 2023.