



The Organization for Transplant Professionals

NATCO, THE ORGANIZATION FOR TRANSPLANT PROFESSIONALS POSITION STATEMENT

PRESUMED CONSENT AND OPT OUT REGISTRIES

Statement of the Problem:

The continued worldwide shortfall of donated organs and tissues has resulted in some countries establishing laws that permit transplantation using organs and tissues obtained via presumed consent (e.g., Switzerland, Spain) or from donors who have chosen not to “opt-out” of donation upon their death (e.g., Austria, Sweden, Netherlands). Presumed consent regulations generally work by presuming that a person has no objection to being an organ donor when they die. Opt-out registries officially record an individual’s objection to organ donation. Among countries which practice presumed consent there is widespread variation in policy. Specifically, some countries require permission from the next of kin for organ donation, whereas other countries do not.

At this time, there is conflicting information on the effectiveness of these programs in combating the donation shortfall. Further, there continues to be concerns including the level of public awareness of the programs, and ease of access to the opt-out registries. In the United States individuals declare their explicit donation intent via donor cards or donation registries, or consent is obtained from families at the time of death.

Policy:

NATCO believes it is premature to support any federal, state or local policies or regulations in the United States related to presumed consent or opt out registries. Such policies and regulations have the potential to impact public perception of organ and tissue donation and transplantation thus they require extensive study in the United States before formal implementation.

Until such time as comprehensive studies on public attitudes, as well as pilot studies of presumed consent and opt-out registries can be conducted in the United States, NATCO advocates more extensive and enhanced public and professional education, aimed to increase the supply of organ and tissues for transplantation.