



|| SENATE OF PENNSYLVANIA
|| BILL SUMMARY

Senate Bill 108
Printer's No. 82

Prime Sponsor: Senator Sabatina
Committee: Judiciary

SYNOPSIS:

This bill amends Title 20 (Decedents, Estates and Fiduciaries) to prohibit discrimination against a person with a physical or mental disability with regard to organ donation decisions.

SUMMARY:

This bill adds a provision to 20 Pa.C.S. § 8613 (relating to manner of executing anatomical gifts) stating that an individual who is a candidate to receive an anatomical gift shall not be deemed ineligible to receive the anatomical gift solely because of a physical or mental disability. The physical or mental disability may be considered only if a physician determines after an individualized evaluation that the disability is "medically significant" to the provision of the anatomical gift. The term "disability" shall have the same meaning as in the federal Americans with Disabilities Act of 1990.

During the determination of medical significance, the recipient's inability to comply independently with post-transplant medical requirements shall not be considered if the recipient has a sufficient support system to assist the recipient.

The bill provides that courts must prioritize any action brought to enforce compliance with this legislation.

EFFECTIVE DATE: This bill is effective immediately.

BILL HISTORY:

None.

Prepared by: Cawley 3/24/2017