



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senate Passes Bills to Encourage Lifesaving Organ & Tissue Donations

JIM RANNEY May 6, 2017

| ISSUE: **ORGAN AND TISSUE DONATION**



Senator Patrick M. Gallivan (R-C-I, Elma) says the State Senate has passed a package of bipartisan bills aimed at encouraging more New Yorkers to become organ and tissue donors and protecting the rights of those who do. The bills enhance public awareness, remove bureaucratic obstacles and will increase the number of New Yorkers who sign up to help save lives through organ, tissue, bone marrow, and blood donation.

“Organ and tissue transplants save lives, but too few New Yorkers are enrolled in the Donate Life program,” Gallivan said. “New York can and must do better. This legislation will help raise awareness of the importance of organ and tissue donation, provide support for those who participate and make it easier for residents to get involved in this lifesaving effort.”

Currently, only 27 percent of potential New Yorkers are enrolled in the New York State Donate Life Registry – the lowest rate in the country, whereas nearly 10,000 people are waiting for organ transplants in New York – the third highest rate in the country. The Senate continues to be advocates for increasing resources and public awareness on the importance of organ and tissue donation through legislation and funding. This year’s enacted state budget included \$1.3 million as part of the Senate’s ongoing commitment to help New Yorkers’ need of lifesaving transplants.

The Senate passed two bills co-sponsored by Senator Gallivan to provide a wide variety of protections and support for prospective organ donors. The measures would bolster the amount of lifesaving organ and tissue and donations and shield donors in New York by:

- Enacting the “Living Donor Protection Act of 2017” to prevent discrimination against living organ or tissue donors who have or are applying for life, accident, health, or long-term care insurance; designating transplantation preparation and recovery related to donation as “serious health conditions” covered by paid family leave; and directing the Commissioner of Health, in cooperation with the transplant council and other interested parties to develop and distribute information on live organ donation (S2496); and
- Establishing a one-time personal income tax credit for up to \$10,000 for expenses related to a taxpayer donating his or her organs for transplantation. The bill also repeals the personal income tax modification, reducing federal adjusted income, for such expenses (S2497).

To further increase public awareness of organ and tissue donation, especially among youth, a bill (S5283B) co-sponsored by Senator Gallivan would allow SUNY, CUNY, and library card applicants to register as an organ donor. The bill would expand Lauren's Law, which changed DMV forms to require applicants to choose "yes" or "skip" the question about becoming a donor.

The Senate also passed legislation (S2162A) to help medical transport teams quickly operate within their necessary and sensitive periods. The bill would add human organ delivery vehicles to the list of authorized emergency vehicles in the state.

In addition, the Senate passed a bill (S474B) that would give the option to applicants for the practice of a profession or occupation, state income tax filers, and applicants registering motor vehicles to register in the Donate Life Registry for organ, eye, and tissue donation.

The Senate also passed a measure (S1475) that would allow a taxpayer or the spouse of a taxpayer to deduct costs related to the taxpayer's organ donation, and include childcare costs within such allowable costs.

The bills will be sent to the Assembly.

Additionally, another bill (S2495) co-sponsored by Senator Gallivan, which would allow the state's Transplant Council to expand its scope and help New York organ donation efforts by making annual recommendations to the Commissioner of Health on organ donation, procurement organizations, and organ banks and storage, passed both houses earlier this year.

## 2017-S2496

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Enacts the "living donor protection act of 2018"

January 13, 2017

Signed by Governor

Sponsored by **Kemp Hannon**

Do you support this bill?

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## 2017-S2497

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- Introduced
- ◦ In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Establishes a one-time personal income tax credit for up to \$10,000 for the expenses incurred by a resident taxpayer in the course of donating his or her organs for transplantation; repealer

January 13, 2017

In Senate Committee [Investigations and Government Operations](#)

Sponsored by [Kemp Hannon](#)

Do you support this bill?

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## 2017-S2162A

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to designating human organ delivery vehicles as authorized emergency vehicles

January 12, 2017

In Assembly Committee

Sponsored by [Susan Serino](#)

Do you support this bill?

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## 2017-S474B

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- Introduced
  
  - ◦ In Committee Assembly
    - In Committee Senate
  
  - ◦ On Floor Calendar Assembly
    - On Floor Calendar Senate
  
  - ◦ Passed Assembly
    - Passed Senate
  
  - Delivered to Governor
  
  - Signed By Governor
  
  -

Requires election for registration for organ, eye and tissue donations to be included upon certain state forms; repealer

January 03, 2017

In Senate Committee [Higher Education](#)

Sponsored by [Jose Peralta](#)

Do you support this bill?

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**2017-S1475**

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- Introduced
  
  - - In Committee Assembly
    - In Committee Senate
  
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  
  - - Passed Assembly
    - Passed Senate
  
  - Delivered to Governor
  
  - Signed By Governor
  
  -

Relates to organ donation

January 09, 2017

In Senate Committee [Investigations and Government Operations](#)

Sponsored by [David Carlucci](#)

Do you support this bill?

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**2017-S2495**

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- Introduced
  - In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Grants the transplant council the power to make recommendations to the commissioner of health relating to organ donation, procurement organizations, banks and storage

January 13, 2017

Signed by Governor

Sponsored by **Kemp Hannon**

Do you support this bill?