

AB 3211 (Kalra)

Improved Organ Donor Choices in Advance Directives

Advance Directives

In 1976, California became the first state to pass legislation enabling adults to record their wishes regarding end-of-life care and other health care decisions in advance, to guide health care providers in case the adult ever lost decision-making capacity. An advance health care directive (AHCD) form is included in Probate Code Section 4701 and has sections for naming a health care agent, directing end-of-life care and organ donation, and naming a primary care physician. Nearly 37% of American adults have an advance directive.

Section 3

Section 3 of the statutory advance directive permits adults to express their preferences regarding organ donation. The current version is a bit confusing, presenting six choices related to anatomical gifts and inadvertently discouraging organ donation. AB 3211 simplifies the choices from six down to two and clarifies that failing to make a choice in the health care directive is not an express refusal to make a donation. The bill also harmonizes end-of-life care preferences with the desire to donate organs by expressly providing for brief, temporary use of life support to maintain organ viability.

Support Organ Donation

AB 3211 updates California's statutory AHCD to simplify the choices related to organ donation and encourage a more complete explanation of the principal's preferences. In addition, the bill increases the likelihood that adults who wish to make an anatomical gift are given the opportunity to do so. Nearly 23,000 Californians are awaiting lifesaving organ transplants – the revised AHCD in AB 3211 provides an excellent opportunity to better identify organ donors and give them a better chance of expressing and effectuating their wishes.

Support AB 3211 to improve organ donor choices in Advance Health Care Directives!

CANHR

Long Term Care Justice and Advocacy

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HOW YOU CAN HELP

To help pass AB 3211 and improve organ donor choices in Advance Health Care Directives, please write and send a support letter to the Senate Judiciary Committee, with copies to Assemblymember Ash Kalra and CANHR at:

Assemblymember Mark Stone, Chair
Assembly Judiciary Committee
1020 N Street, Rm. 104
Sacramento, CA 95814
Fax: (916) 319-2188

Assemblymember Ash Kalra
State Capitol, Room 2032
Sacramento, CA 95814
Fax: (916) 651-4919

California Advocates for Nursing Home Reform
650 Harrison St., 2nd Floor
San Francisco, CA 94107
Fax: (415) 777-2904

SAMPLE LETTER:

Dear Assembly Judiciary Committee:

I am writing in strong support of AB 3211, a bill to improve organ donation options in California's Advance Health Care Directive (AHCD) form. California, like the rest of the United States, has a significant shortage of organs for transplantation. Nearly 23,000 Californians are on the organ transplant waiting list, a number that has remained largely unchanged for many years. Updating the organ donation language in AHCDs could increase organ donation throughout the state.

AB 3211 makes better use of the organ donation section in our statutory AHCD form. It simplifies the choices and clarifies that a failure to make a choice should not be considered a choice to never make an anatomical gift. AB 3211 also harmonizes end-of-life care preferences with the desire to be an organ donor, ensuring brief and temporary life support can be provided to patients to maintain the viability of donated organs.

Please help improve our organ donation options in the statutory AHCD by voting "yes" on AB 3211.

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