

Changes in English organ donation law to Opt/out (spring (April) 2020)

Changes

- All adults in England will be considered an organ donor when they die unless they had recorded a decision not to donate or are in one of the excluded groups.

Rational

- There are insufficient organs donate to meet the needs of patients requiring organ transplant

Assumptions

- The move from opt/in to opt/out will increase the number of organs donated by:
 - Implied consent
 - Treating both the persons that opt/in and the non registered as potential donors
 - Promoting within families and the public a discussion on organ donation that would result in an increase in organ donors
 - Reducing the number of refusals by family members

The Welsh experience

- Wales changed the law changed the Law in December 2015 from an opt/in to an opt/out organ donors scheme hence have three year experience
- There were 101 deceased donors in the 21 months before the changes to implied consent and 104 for the equivalent period after the changes.
- During the same period in 2016/17 there was 21 cases were families either overrode the diseased wishes to donate or did not support the assumption of assumed consent
 - The 21 cases were seen not as accepting the wishes of the families but as 63 plus organs lost to organ transplant recipients
- No measurable increase in organ donation
- No visible cultural change in the public towards organ donation
- An increase from 71% to 85% in Health professionals in support of the changes

Moral questions

- With implied consent- who owns one's body?
- Have organs become a commodity?
- Should living donors have the right to sell their organs like a commodity?
- Are we moving towards the Kazuo Ishiguro dystopian "*Never Let Me Go*" cloning humans to harvest organs

Would a more appropriate law require that all organ transplant recipient must have been registered as organ donors for a qualifying period?