Legislative Analysis

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INFORMATION ON BONE MARROW AND ORGAN DONATION

Senate Bill 205 as enacted
Public Act 50 of 2026
Sponsor: Sen. Kevin Daley
House Committee: Health Policy
Senate Committee: Health Policy
Complete to 8-11-26

SUMMARY:

Senate Bill 205 amends the Public Health Code to expressly allow physician private practice offices and urgent care centers to ask whether new patients are interested in receiving information about bone marrow donation or the organ and tissue donor registry and to provide information upon a patient's request.

The Public Health Code regulates ***anatomical gifts*** and the ***organ and tissue donor registry***, including establishing individuals' rights to make anatomical gifts, providing for the creation and maintenance of a donor registry, and defining the role of the state's federally designated organ procurement organization.

> ***Anatomical gift*** means a donation of all or part of a human body to take effect after the donor's death for the purpose of transplantation, therapy, research, or education.
>
> ***Organ and tissue donor registry*** means a database that contains records of anatomical gifts and amendments to or revocations of anatomical gifts as provided for under the code.

Under the bill, a physician's private practice office or an urgent care center may ask each new patient who is 18 to 44 years old whether the patient is interested in information on donating bone marrow. If the patient requests it, the health care provider may supply information, including contact information, for bone marrow donation programs in Michigan.

The bill also allows a physician's private practice office or urgent care center to ask each new patient, regardless of age, whether the patient is interested in information on the organ and tissue donor registry. If the patient requests it, the provider may supply educational materials explaining the right to make an anatomical gift, information describing the organ and tissue donor registry, and information on how to have the patient's name placed in the registry. Any information provided must include contact information for Gift of Life Michigan (the state's federally designated organ procurement organization) or its successor organization.

Under the bill, any inquiries or materials provided to patients may be delivered orally or in written or electronic form.

The bill does not *require* physician private practice offices or urgent care centers to make these inquiries or provide this information, but *allows* them to do so.

MCL 333.10401

BACKGROUND:

The bill is identical to Senate Bill 287 of the 2023-24 legislative session as that bill was passed by the Senate.

BRIEF DISCUSSION:

According to committee testimony, approximately 2,700 Michiganders are currently waiting for an organ transplant. Supporters of the bill testified that increasing public awareness of organ and tissue donation could help expand the organ donor registry and potentially increase the number of available donors. Many individuals view their physician as a trusted source of health information and may be more likely to consider organ donation if provided information by their doctor. Supporters noted that the bill would allow physicians to provide educational materials to interested patients, but it would not require physicians to participate or require patients to receive the information.

FISCAL IMPACT:

Senate Bill 205 would not have a significant fiscal impact on state expenditures to the Department of Health and Human Services (DHHS) or local units of government.

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