

110TH CONGRESS  
1ST SESSION

# H. R. 710

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## AN ACT

To amend the National Organ Transplant Act to provide that criminal penalties do not apply to paired donations of human kidneys, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Charlie W. Norwood  
3 Living Organ Donation Act”.

4 **SEC. 2. NATIONAL ORGAN TRANSPLANT ACT; AMENDMENT**  
5 **REGARDING PAIRED DONATION OF HUMAN**  
6 **KIDNEYS.**

7 (a) IN GENERAL.—Section 301(a) of the National  
8 Organ Transplant Act (42 U.S.C. 274e(a)) is amended by  
9 adding at the end the following: “The preceding sentence  
10 does not apply with respect to the paired donation of  
11 human kidneys.”.

12 (b) DEFINITION.—Section 301(c) of the National  
13 Organ Transplant Act (42 U.S.C. 274e(c)) is amended by  
14 adding at the end the following:

15 “(4) The term ‘paired donation of human kid-  
16 neys’ means the donation and receipt of human kid-  
17 neys under the following circumstances:

18 “(A) An individual (referred to in this  
19 paragraph as the ‘first donor’) desires to make  
20 a living donation of a kidney specifically to a  
21 particular patient (referred to in this paragraph  
22 as the ‘first patient’), but such donor is bio-  
23 logically incompatible as a donor for such pa-  
24 tient.

25 “(B) A second individual (referred to in  
26 this paragraph as the ‘second donor’) desires to

1           make a living donation of a kidney specifically  
2           to a second particular patient (referred to in  
3           this paragraph as the ‘second patient’), but  
4           such donor is biologically incompatible as a  
5           donor for such patient.

6           “(C) Subject to subparagraph (D), the  
7           first donor is biologically compatible as a donor  
8           of a kidney for the second patient, and the sec-  
9           ond donor is biologically compatible as a donor  
10          of a kidney for the first patient.

11          “(D) If there is any additional donor-pa-  
12          tient pair as described in subparagraph (A) or  
13          (B), each donor in the group of donor-patient  
14          pairs is biologically compatible as a donor of a  
15          kidney for a patient in such group.

16          “(E) All donors and patients in the group  
17          of donor-patient pairs (whether two pairs or  
18          more than two pairs) enter into a single agree-  
19          ment to donate and receive such kidneys, re-  
20          spectively, according to such biological compat-  
21          ibility in the group.

22          “(F) Other than as described in subpara-  
23          graph (E), no valuable consideration is know-  
24          ingly acquired, received, or otherwise trans-

1           ferred with respect to the kidneys referred to in  
2           such subparagraph.”.

3 **SEC. 3. ADDITIONAL FUNDING FOR THE MEDICARE PHYSI-**  
4                           **CIAN ASSISTANCE AND QUALITY INITIATIVE**  
5                           **FUND.**

6           Section 1848(l)(2) of the Social Security Act (42  
7 U.S.C. 1395w-4(l)(2)) is amended—

8                   (1) in subparagraph (A), by adding at the end  
9           the following: “In addition, there shall be available  
10          to the Fund for expenditures during 2009 an  
11          amount equal to \$30,000,000 and for expenditures  
12          during or after 2013 an amount equal to  
13          \$470,000,000.”; and

14                  (2) in subparagraph (B)—

15                          (A) in the heading, by striking “FUR-  
16                          NISHED DURING 2008”;

17                          (B) by striking “specified in subparagraph  
18                          (A)” and inserting “specified in the first sen-  
19                          tence of subparagraph (A)”;

20                          (C) by inserting after “furnished during  
21                          2008” the following: “and for the obligation of  
22                          the entire first amount specified in the second  
23                          sentence of such subparagraph for payment  
24                          with respect to physicians’ services furnished  
25                          during 2009 and of the entire second amount

1           so specified for payment with respect to physi-  
2           cians' services furnished on or after January 1,  
3           2013''.

Passed the House of Representatives March 7,  
2007.

Attest:

*Clerk.*

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