To amend title XI of the Social Security Act with respect to organ procurement organizations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Organ Procurement Optimization Act of 2019”.

SEC. 2. ORGAN PROCUREMENT ORGANIZATIONS.

(a) IN GENERAL.—Section 1138(b) of the Social Security Act (42 U.S.C. 1320b–8(b)) is amended—

(1) in paragraph (1), by striking subparagraph (C) and inserting the following:
“(C) relies on a standardized performance metric or metrics that are objective, verifiable, and not subject to interpretation by organ procurement organizations;”; and

(2) by adding at the end the following:

“(3) Not later than 1 year after the date of enactment of the Organ Procurement Optimization Act of 2019, the Secretary shall publish in the Federal Register a final rule to establish the metric or metrics described in paragraph (1)(C).”.

(b) Conforming Amendments.—Section 371(b)(1)(D)(ii) of the Public Health Service Act (42 U.S.C. 273(b)(1)(D)(ii)) is amended—

(1) in the matter preceding subclause (I), by striking “2002” and inserting “2021”; and

(2) by striking subclause (II) and inserting the following:

“(II) rely on the standardized performance metric or metrics established under section 1838(b)(1)(C);”.

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