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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. _____

To amend the Public Health Service Act to direct the Organ Procurement and Transplantation Network to establish and implement reforms to the criteria for liver allocation so that such allocation is not based on the donor candidate's place of residence or listing, except to the extent necessary to avoid wasting organs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ENGEL introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Public Health Service Act to direct the Organ Procurement and Transplantation Network to establish and implement reforms to the criteria for liver allocation so that such allocation is not based on the donor candidate's place of residence or listing, except to the extent necessary to avoid wasting organs, 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 “Fairness in Liver Allo-
3 cation Act of 2018”.

4 **SEC. 2. CRITERIA FOR LIVER ALLOCATION.**

5 (a) IN GENERAL.—Subsection (b) of section 372 of
6 the Public Health Service Act (42 U.S.C. 274) is amended
7 by adding at the end the following:

8 “(4) LIVER ALLOCATION.—

9 “(A) REFORM BY NETWORK.—Not later than
10 December 31, 2018, the Organ Procurement and
11 Transplantation Network shall establish and imple-
12 ment reforms to the criteria for liver allocation by
13 the Network so that such allocation is not based on
14 the donor candidate’s place of residence or listing,
15 except to the extent necessary to avoid wasting or-
16 gans.

17 “(B) REFORM BY SECRETARY IN CASE OF FAIL-
18 URE.—If the Organ Procurement and Transplan-
19 tation Network fails to establish and implement re-
20 forms by December 31, 2018, as required by sub-
21 paragraph (A)—

22 “(i) the Secretary, acting through the Ad-
23 ministrator of the Health Resources and Serv-
24 ices Administration, shall establish criteria for
25 liver allocation by the Network consistent with
26 subparagraph (A); and

1 “(ii) not later than June 30, 2019, the
2 Network shall begin implementing such cri-
3 teria.”.

4 (b) TECHNICAL CORRECTION.—Paragraph (3) of sec-
5 tion 372(b) of the Public Health Service Act (42 U.S.C.
6 274(b)) is amended by moving the indentation of such
7 paragraph 2 ems to the left.