

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Organ Transplant - Organ Donation by an Offender

Policy Number: 507.04.65

Effective Date: 02/01/2022

Page Number: 1 of 5

Authority:
Commissioner

Originating Division:
Health Services Division
(Physical Health)

Access Listing:
Level I: All Access

I. Introduction and Summary:

Offenders who have severe end-stage Organ Failure have the right to be evaluated by an Organ Transplant Center for treatment recommendations, including consideration for Organ Transplantation. Consenting offenders determined to be compatible donors may be provided the opportunity to donate a non-essential organ to a closely related family member. Organ Procurement from offenders that died of natural causes will be determined by their Advanced Directive and/or family direction. Deaths in custody from suspected suicide or homicide or other unusual circumstances are subject to autopsy and not eligible to procurement. Consent related to any transplant procedure cannot be given by any Georgia Department of Corrections (GDC) official, officer, staff member, warden or representative. This policy is applicable to all facilities that house GDC offenders to include private and county prisons.

II. Authority:

- A. O.C.G.A. §44-5-6;
- B. GDC Standard Operating Procedure (SOP): 507.04.85 Informed Consent;
- C. NCCHC 2018 Adult Standards; and
- D. ACA Standards: 5-ACI-6A-18 (Mandatory), 5-ACI-6A-07, 5-ACI-6A-05, and 5-ACI-6A-06.

III. Definitions:

- A. **Organ Failure** - The failure of an essential system in the body such as the heart, kidney, liver, etc.
- B. **Organ Transplant** - The replacement of a failing organ with a healthy organ from another person.
- C. **Organ Procurement** - A surgical procedure that removes organs or tissues for reuse, typically for Organ Transplantation.

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- D. **Advanced Directive** - A written statement of a person's wishes regarding medical treatment, often including a living will, made to ensure those wishes are carried out should the person be unable to communicate them to a doctor.
- E. **Responsible Health Authority** - A licensed physician or another qualified health care professional or health administrator with all matters of medical judgement resting with a designated licensed physician or statewide medical director.
- F. **Organ Transplant Center** - Any hospital that has current approval for a designated transplant program and performs Organ Transplants.

IV. Statement of Policy and Applicable Procedures:

A. Organ Transplant:

1. The clinician will be responsible for the physical examination of the offender and will monitor the offender in the chronic care system during the disease process.
2. Diagnostic tests (laboratory test, radiology exam, etc.) should be monitored frequently for progression of the offender's condition.
3. At a point in the disease process that it is suspected that the organ is no longer functioning at an acceptable level, a specialist should be consulted.
4. If a Nurse Practitioner/Physician Assistant (NP/PA) has evaluated the offender, review by the medical director will be made prior to consult with the specialist.
5. The medical director will evaluate the offender and make recommendations based on the clinical findings. A consultation to an appropriate specialist will be initiated.
6. The medical director will prepare a summary of the clinical findings including all pertinent diagnostic studies. The summary will be sent to the specialist for

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further evaluation. If the specialist recommends consideration for an Organ Transplant, the summary of clinical findings will be sent to a transplant facility for guidance. A copy of this correspondence (medical summary) will be placed in the medical record. Utilization Management (UM), GDC and contract vendor medical directors will be notified, and approval is required prior to referral to the transplant facility.

7. If approved by UM, clinical care will be guided by the recommendations of the transplant facility.
8. Transfer of the offender to and/or from the transplant facility will be coordinated through UM.
9. The medical director will evaluate the offender for a possible medical reprieve.

B. Organ Donation:

1. Request to Determine Organ Donation Compatibility:
 - a. Requests from family members of an offender seeking to determine organ donation compatibility will be forwarded to the Responsible Health Authority at the facility where the offender is assigned. Documentation of the request will be made in the health record and placed under the consent section.
 - b. The Responsible Health Authority will advise the offender of the request and obtain consent. Participation by the offender in organ donation is voluntary.
 - c. After consenting in writing, the offender may begin the steps necessary to determine organ donation compatibility (e.g., blood tests).
 - d. Medical Staff at the facility will perform any necessary blood draws and will return the specimen(s) to the identified laboratory.

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- e. The cost of performing laboratory tests to determine donor compatibility must be borne by the donor recipient, third party payer or organization responsible for payment.
 - f. Notification to the offender of his/her potential or actual match for transplantation will be made by the Responsible Health Authority.
2. Organ Donation by Offenders:
- a. When a donor match is found, the request for organ donation from an offender to a family member will be sent to the GDC Statewide Medical Director. The GDC Statewide Medical Director will review all requests for approval in consultation with the Director of the Office of Health Services and the Facilities Division Director. Documentation of the request will be filed under the consent section of the medical record.
 - b. If organ donation/transplantation cannot be performed in the State of Georgia, the offender may be deemed ineligible for organ donation.
 - c. Transportation of the offender and necessary security will be provided by the assigned GDC facility and cost will be borne by organ recipient, third party payer or the organization responsible for Organ Transplantation.
 - d. All necessary surgical consents will be obtained by the community transplantation center medical staff before performing the donation/transplantation.
 - e. All medical/surgical/facility costs incurred by the offender as a result of the Organ Transplant/donation procedure will be borne by the organ recipient, third party payer or the organization responsible for Organ Transplantation.

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C. Organ Procurement:

1. Georgia State Law requires an autopsy for all deaths in custody as a result of suspected suicides, homicides or any unusual circumstances and are not eligible for Organ Procurement.
2. Offenders who are receiving life-sustaining treatment, with irreversible cessation of the entire brain as a result of natural causes, may be guided by their Advanced Directive and/or family direction.

V. **Attachments:** None.

VI. **Record Retention of Forms Relevant to this Policy:** None.