

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul J. Donato***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to organ transplant vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>12/6/2023</i>

**HOUSE . . . . . No.**

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By Representative Donato of Medford, a petition (subject to Joint Rule 12) of Paul J. Donato relative to regulation of organ transplant vehicles by the Department of Public Health. Public Health.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act relative to organ transplant vehicles.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 7B of chapter 89 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by inserting after the word “department”, in line 7, the  
3 following words:- , the driver of an organ transplant vehicle, as defined in section 245 of chapter  
4 111, that is transporting human organs or medical personnel for the purpose of organ recovery or  
5 transplantation.

6           SECTION 2. Chapter 111 of the acts of 2022 is hereby amended by adding the following  
7 section:-

8           Section 245. (a) For the purposes of this section, the following terms shall have the  
9 following meanings:

10           “Organ procurement organization”, an entity certified as an organ procurement  
11 organization by the federal centers for Medicare and Medicaid services.

12           “Organ transplant vehicle”, any vehicle owned by an organ procurement organization that  
13 is used to transport human organs or medical personnel for the purpose of organ recovery or  
14 transplantation.

15           (b) All organ transplant vehicles shall be registered with the department for operation as  
16 an organ transplant vehicle.

17           (c) During the time that an organ transplant vehicle is transporting human organs or  
18 medical personnel for the purpose of organ recovery or transplantation, the organ transplant  
19 vehicle shall be considered an emergency vehicle.

20           (d) No organ transplant vehicle shall be operated as an emergency vehicle within the  
21 commonwealth unless:

22           (i) the organ procurement organization that owns and operates the vehicle is in  
23 compliance with any regulations promulgated pursuant to this section for the operation of such  
24 vehicles;

25           (ii) the vehicle is used solely for the purpose of transporting human organs or medical  
26 personnel for the purpose of organ recovery or transplantation while operating as an emergency  
27 vehicle;

28           (iii) the vehicle is designated and clearly identified as an organ transplant vehicle, and,  
29 prior to its operation as an organ transplant vehicle, the organ procurement organization which  
30 owns and operates the vehicle has registered with the department pursuant to subsection (b); and

31           (iv) the driver of the vehicle has undergone any training for the operation of an organ  
32 transplant vehicle as the department may require.

33 (e) The department shall promulgate regulations to carry out the purpose of this section.

34 Such regulations shall include, but not be limited to:

35 (i) standards for the registration and operation of organ transplant vehicles;

36 (ii) standards for organ transplant vehicle operations, vehicles and equipment including  
37 compliance with this chapter and the training of organ transplant vehicle drivers for the safe  
38 operation of such vehicles during an emergency operation; and

39 (iii) a requirement for organ procurement organizations to establish and enforce written  
40 policies concerning minimum qualifications and physical requirements for organ transplant  
41 vehicle drivers and for the equipping and maintenance of such vehicles.

42 (f) The commissioner may revoke or suspend an organ transplant vehicle's registration on  
43 proof that an organ procurement organization has failed to comply with the provisions of this  
44 section or any regulations promulgated pursuant this section.