HOUSE DOCKET, NO. 1756 FILED ON: 1/15/2025

HOUSE . . . . . No. 4049

The Commonwealth of Massachusetts

PRESENTED BY:

Russell E. Holmes

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 saving lives through awareness and enactment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Russell E. Holmes	*6th Suffolk*	*1/15/2025*

HOUSE DOCKET, NO. 1756 FILED ON: 1/15/2025

HOUSE . . . . . No. 4049

By Representative Holmes of Boston, a petition (accompanied by bill, House, No. 4049) of Russell E. Holmes for legislation to establish a prisoner donation program. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to saving lives through awareness and enactment.

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

Chapter 127 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following section:-

Section 172. (a) As used in this section, the following words shall, unless the context clearly appears otherwise, have the following meanings:-

"Approved medical transplant center", a medical facility certified by the United Network for Organ Sharing and meeting all applicable state and federal standards for organ and tissue transplantation.

"Donor gift", a donation of blood, cell tissue, bone marrow, kidney, liver segment or other organ or tissue suitable for transplantation.

"Incarcerated person", a person in the custody of the department of correction.

11 (b) An incarcerated person may voluntarily donate a donor gift to a recipient, of the
12 donor's choosing, in need of such donation. No incarcerated person shall receive monetary
13 compensation, sentence reduction or any other incentive in exchange for making a donor gift.

14 (c) Donor gifts shall only be made by the free and voluntary decision of the incarcerated
15 person. All donor gift procedures shall comply with applicable medical standards and ethics.

16 (d) The department of correction shall establish protocols to: (i) process requests from
17 incarcerated persons who wish to make a donor gift; (ii) provide transportation to and from
18 approved medical transplant centers; and (iii) maintain all existing security measures during
19 transportation and medical procedures.

20 (e) The department of correction and its medical providers shall not participate in the
21 medical aspects of the donor gift procedure, including evaluation, matching, surgery, or post-
22 operative care. All medical aspects shall be handled exclusively by the approved medical
23 transplant center.

24 (f) The approved medical transplant center shall: (i) conduct all medical evaluations,
25 compatibility tests, and mental health assessments of the incarcerated person; (ii) determine
26 medical eligibility for donation; (iii) provide all pre-operative, surgical and post-operative care;
27 and (iv) develop treatment plans to ensure safe recovery for both the incarcerated person and
28 recipient.

29 (g) The commissioner shall promulgate regulations to implement this section.