

Legislative Analysis



MODEL PRESENTATION ON ORGAN AND TISSUE DONATION

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5174 (H-1) as reported from committee
Sponsor: Rep. Felicia Brabec
Committee: Education
Complete to 12-8-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5174 would amend the Revised School Code to require the Michigan Department of Education (MDE) to develop or adopt a model presentation on organ, eye, and tissue donation and transplantation programs and make that presentation available to public schools. The model presentation would have to be at least one hour long and include information about the Michigan Organ Donor Registry. In developing the model presentation, MDE would have to consult with third-party organizations¹ including Michigan's federally designated organ procurement organization (Gift of Life Michigan).

MDE would have to develop or adopt the model presentation by January 1, 2025. Then, beginning in the 2025-26 school year, the board of a school district, intermediate school district (ISD), or public school academy (PSA, or charter school) would have to ensure that the presentation is provided to ninth grade students in schools under their respective administration before the students complete their ninth grade year.

Parents and legal guardians could opt their student out of attending the presentation, without penalty, by providing a written request to the student's school.

Proposed MCL 380.1170c

BACKGROUND:

According to committee testimony, the legislation is intended to provide information to ninth graders before they would be eligible to take Segment 1 of a driver's training course. Changes to the way new drivers register at the Secretary of State mean that teens get organ and tissue donation information in Segment 2, which is after they have already gone in for a first license. The hope is that, by providing the presentation to students before they complete Segment 1, they would be familiar with the program when they go to apply for their first driver's license and opt in at that time.

Approximately 2,500 individuals in Michigan are presently on the organ and tissue donation wait list, with an additional 22,000 persons diagnosed with end-stage renal failure who would benefit from kidney donation. Gift of Life Michigan says only 21% of new drivers register as organ donors in Michigan. In other states, between 40% and 60% of new drivers register.

¹ Gift of Life Michigan has a curriculum available on its website that appears to meet the requirements of the bill. See: <https://giftoflifemichigan.org/wp-content/uploads/2022/01/All-of-Us-curriculum-summary.pdf>

In Michigan, 366 schools and districts presently participate in the model informational program Gift of Life Michigan offers.

FISCAL IMPACT:

The bill would increase costs for the state and could increase costs for local school districts, ISDs, and PSAs.

MDE has noted that, although a curriculum has already been developed by Gift of Life, meeting the requirements under the bill would require 1.0 FTE authorization and \$200,000 for a consultant to make available a model presentation on organ, eye, and tissue donation and transplantation programs; provide guidance to districts; and ensure that districts are complying with the law.

POSITIONS:

Representatives of Gift of Life Michigan testified in support of the bill. (3-5-24)

The following indicated *support* of the bill:

- Michigan Department of Education (12-3-24)
- American Kidney Fund (12-3-24)
- National Kidney Foundation of Michigan (3-5-24)
- Michigan Donor Family Council (3-5-24)

The following entities indicated opposition to the bill (3-5-24):

- Oakland Schools
- Wayne Regional Educational Service Agency

Legislative Analyst: Josh Roesner
Fiscal Analysts: Jacqueline Mullen
Noel Benson

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.