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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To provide additional options on certain federal application forms to allow
an individual to elect to be an organ donor and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To provide additional options on certain federal application
forms to allow an individual to elect to be an organ
donor 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lauren Shields Organ
5 Donation Act”.

1 **SEC. 2. SOCIAL SECURITY ADMINISTRATION.**

2 (a) TITLE II.—Section 205 of the Social Security Act
3 (42 U.S.C. 405) is amended by adding at the end the fol-
4 lowing new subsection:

5 “(v) The Commissioner of Social Security shall—

6 “(1) ensure that, with respect to applications
7 for benefits under this title made available on or
8 after the date that is 1 year after the date of the
9 enactment of this clause, such applications include
10 an option to allow an individual applying for such
11 benefits to elect to be an organ donor; and

12 “(2) with respect to each individual who elects
13 to be an organ donor through such application,
14 transmit such individual’s election to the organ do-
15 nation registry of the State in which such individual
16 resides and to the national organ donation registry
17 established by Donate to Life America (or to a suc-
18 cessor national registry).”.

19 (b) TITLE XVI.—Section 1631 of the Social Security
20 Act (42 U.S.C. 1383) is amended by adding at the end
21 the following:

22 “(q) The Commissioner of Social Security shall—

23 “(1) ensure that all applications for benefits
24 under this title made available on or after the date
25 that is 1 year after the date of the enactment of this

1 subsection include an option to allow the applicant
2 to elect to be an organ donor; and

3 “(2) with respect to each individual who elects
4 to be an organ donor through such application,
5 transmit such individual’s election to the organ do-
6 nation registry of the State in which such individual
7 resides and to the national organ donation registry
8 established by Donate to Life America (or to a suc-
9 cessor national registry).”.

10 **SEC. 3. MEDICARE.**

11 (a) MEDICARE.—

12 (1) PART A.—

13 (A) ENTITLEMENT.—Section 226 of the
14 Social Security Act (42 U.S.C. 426) is amended
15 by adding at the end the following new sub-
16 section:

17 “(k) The Secretary shall—

18 “(1) ensure that, with respect to applications
19 for benefits under part A of title XVIII made avail-
20 able on or after the date that is 1 year after the
21 date of the enactment of this subsection, such appli-
22 cations include an option to allow an individual ap-
23 plying for such benefits to elect to be an organ
24 donor; and

1 “(2) with respect to each individual who elects
2 to be an organ donor through such application,
3 transmit such individual’s election to the organ do-
4 nation registry of the State in which such individual
5 resides and to the national organ donation registry
6 established by Donate to Life America (or to a suc-
7 cessor national registry).”.

8 (B) ESRD.—Section 226A of the Social
9 Security Act (42 U.S.C. 426–1) is amended by
10 adding at the end the following new subsection:

11 “(d) The Secretary shall—

12 “(1) ensure that, with respect to applications
13 for benefits under this section made available on or
14 after the date that is 1 year after the date of the
15 enactment of this subsection, such applications in-
16 clude an option to allow an individual applying for
17 such benefits to elect to be an organ donor; and

18 “(2) with respect to each individual who elects
19 to be an organ donor through such application,
20 transmit such individual’s election to the organ do-
21 nation registry of the State in which such individual
22 resides and to the national organ donation registry
23 established by Donate to Life America (or to a suc-
24 cessor national registry).”.

1 (C) OTHER ENROLLMENTS.—Section 1818
2 of the Social Security Act (42 U.S.C. 1395i–2)
3 is amended by adding at the end the following
4 new subsection:

5 “(h) The Secretary shall—

6 “(1) ensure that, with respect to applications
7 for benefits under this part made available for en-
8 rollments under this section on or after the date that
9 is 1 year after the date of the enactment of this sub-
10 section, such applications include an option to allow
11 an individual applying for such benefits to elect to
12 be an organ donor; and

13 “(2) with respect to each individual who elects
14 to be an organ donor through such application,
15 transmit such individual’s election to the organ do-
16 nation registry of the State in which such individual
17 resides and to the national organ donation registry
18 established by Donate to Life America (or to a suc-
19 cessor national registry).”.

20 (2) PART B.—Section 1837 of the Social Secu-
21 rity Act (42 U.S.C. 1395o) is amended by adding at
22 the end the following new subsection:

23 “(p) The Secretary shall—

24 “(1) ensure that, with respect to applications
25 for enrollment under this part made available on or

1 after the date that is 1 year after the date of the
2 enactment of this subsection, such applications in-
3 clude an option to allow an individual applying for
4 such benefits to elect to be an organ donor; and

5 “(2) with respect to each individual who elects
6 to be an organ donor through such application,
7 transmit such individual’s election to the organ do-
8 nation registry of the State in which such individual
9 resides and to the national organ donation registry
10 established by Donate to Life America (or to a suc-
11 cessor national registry).”.

12 **SEC. 4. VETERANS BENEFITS.**

13 (a) IN GENERAL.—Section 5101 of title 38, United
14 States Code, is amended—

15 (1) by redesignating subsection (e) as sub-
16 section (f); and

17 (2) by inserting, after subsection (d), the fol-
18 lowing new subsection (e):

19 “(e)(1) A form described in subsection (a) shall in-
20 clude an option that allows the claimant to elect to be an
21 organ donor.

22 “(2) With respect to each claimant who elects to be
23 an organ donor through such application, the Secretary
24 shall transmit such claimant’s election to the organ dona-
25 tion registry of the State in which such claimant resides

1 and to the national organ donation registry established by
2 Donate to Life America (or to a successor national reg-
3 istry).”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on the day that is one year
6 after the date of the enactment of this Act.

7 **SEC. 5. PASSPORTS.**

8 (a) IN GENERAL.—The Secretary of State shall en-
9 sure, with respect to passport application forms made
10 available on or after the date that is one year after the
11 date of the enactment of this Act, that such forms include
12 an option to allow an individual applying for a passport
13 to elect to be an organ donor.

14 (b) TYPES OF FORMS, APPLICATIONS, ETC.—The op-
15 tion on the passport application form required by sub-
16 section (a) should be added to—

- 17 (1) initial passport application forms (DS–11);
18 (2) renewal applications (DS–82); and
19 (3) data corrections, name changes, and lim-
20 ited-validity passports (DS–5504).

21 (c) TRANSMISSION OF ELECTION.—With respect to
22 each individual who elects to be an organ donor through
23 a passport application form required by subsection (a), the
24 Secretary shall transmit such individual’s election to the
25 organ donation registry of the State in which such indi-

1 vidual resides and to the national organ donation registry
2 established by the Donate to Life America (or to a suc-
3 cessor national registry).

4 (d) PASSPORT DEFINED.—In this section, the term
5 “passport” includes a passport card.

6 **SEC. 6. INDIVIDUAL INCOME TAX RETURNS.**

7 (a) IN GENERAL.—Subpart B of part II of sub-
8 chapter A of chapter 61 of the Internal Revenue Code of
9 1986 is amended by inserting after section 6015 the fol-
10 lowing new section:

11 **“SEC. 6016. ORGAN DONATION.**

12 “(a) IN GENERAL.—In the case of any return of tax
13 of an individual for any taxable year beginning after the
14 date that is 1 year after the date of the enactment of this
15 section, the Secretary shall ensure that the from for such
16 return of tax includes an option that allows such individual
17 to elect to be an organ donor.

18 “(b) DISCLOSURE OF ELECTION.—With respect to
19 each individual who elects to be an organ donor through
20 such return, the Secretary shall transmit such individual’s
21 election to the organ donation registry of the State in
22 which such individual resides and to the national organ
23 donation registry established by Donate to Life America
24 (or to a successor national registry).”.

1 (b) CROSS REFERENCE.—Section 6103(l) of such
2 Code is amended by adding at the end the following new
3 paragraph:

4 “(23) ORGAN DONATION INFORMATION.—For
5 authority to disclose organ donation information, see
6 section 6016(b).”.

7 (c) CLERICAL AMENDMENT.—The table of sections
8 for subpart B of part II of subchapter A of chapter 61
9 of such Code is amended by inserting after the item relat-
10 ing to section 6015 the following new item:

“Sec. 6016. Organ donation.”.

11 (d) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to returns filed for taxable years
13 beginning after the date that is 1 year after the date of
14 the enactment of this Act.

15 **SEC. 7. ELECTRONIC DATA TRANSFER SYSTEM FOR ORGAN**
16 **DONOR REGISTRY.**

17 Not later than 180 days after the date of enactment
18 of this Act, the Secretary of Health and Human Services,
19 acting through the Administrator of the Health Resources
20 and Services Administration, shall develop and implement
21 a secure and automated electronic data transfer system
22 to help instantly update an individual’s donor status in—

23 (1) the national system described in section
24 372(b)(2)(A)(ii) of the Public Health Service Act
25 (42 U.S.C. 274(b)(2)(A)(ii)); and

1 (2) any applicable State organ donor registry.

2 **SEC. 8. GRANTS FOR REGISTRATION OF ORGAN DONORS**
3 **THROUGH STATE FORMS AND APPLICATIONS.**

4 (a) ESTABLISHMENT.—The Secretary of Health and
5 Human Services, acting through the Administrator of the
6 Health Resources and Services Administration, (in this
7 section referred to as the “Secretary”) shall award to each
8 eligible State, for each fiscal year for which funding is
9 available, a grant to modify State forms and applications
10 to serve as vehicles for individuals to register as organ
11 donors in—

12 (1) the national system described in section
13 372(b)(2)(A)(ii) of the Public Health Service Act
14 (42 U.S.C. 274(b)(2)(A)(ii)); and

15 (2) any applicable State organ donor registry.

16 (b) ELIGIBILITY.—To be eligible for a grant under
17 this section, a State shall submit to the Secretary an appli-
18 cation in such form and manner as the Secretary may
19 specify, which shall include—

20 (1) descriptions of any State forms and applica-
21 tions that could serve as vehicles for an individual
22 to register as an organ donor under the national sys-
23 tem and registries described in subsection (a); and

1 (2) plans to use funding under the grant to
2 modify such State forms and applications to serve as
3 such vehicles.

4 (c) DEFINITIONS.—In this section:

5 (1) STATE.—The term “State” means each of
6 the several States, the District of Columbia, and the
7 territories and possessions of the United States.

8 (2) STATE FORMS AND APPLICATIONS.—The
9 term “State forms and applications” means, with re-
10 spect to a State, forms and applications of the State
11 related to—

12 (A) the Medicaid program under title XIX
13 of the Social Security Act (42 U.S.C. 1396 et
14 seq.);

15 (B) the provision of health insurance
16 through a State-run marketplace or other sys-
17 tem;

18 (C) the supplemental nutrition assistance
19 program under the Food and Nutrition Act of
20 2008 (7 U.S.C. 2011 et seq.) (commonly known
21 as “SNAP”);

22 (D) the temporary assistance for needy
23 families program under part A of title IV of the
24 Social Security Act (42 U.S.C. 601 et seq.)
25 (commonly known as “TANF”);

1 (E) the special supplemental nutrition pro-
2 gram for women, infants, and children under
3 section 17 of the Child Nutrition Act (42
4 U.S.C. 1786) (commonly known as “WIC”);

5 (F) the low-income home energy assistance
6 program under the Low-Income Home Energy
7 Assistance Act of 1981 (42 U.S.C. 8621 et
8 seq.) (commonly known as “LIHEAP”);

9 (G) voter registration;

10 (H) concealed carry of a firearm; or

11 (I) such other programs or activities as the
12 State determines appropriate.