



119TH CONGRESS
1ST SESSION

S. _____

To authorize the Secretary of Health and Human Services to collect registration fees from members of the Organ Procurement and Transplantation Network, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To authorize the Secretary of Health and Human Services to collect registration fees from members of the Organ Procurement and Transplantation Network, 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 "OPTN Fee Collection
5 Authority Act".

1 **SEC. 2. ORGAN PROCUREMENT AND TRANSPLANTATION**
2 **NETWORK.**

3 Section 372 of the Public Health Service Act (42
4 U.S.C. 274) is amended—

5 (1) in subsection (b)(2)—

6 (A) by moving the margins of subpara-
7 graphs (M) through (O) 2 ems to the left;

8 (B) in subparagraph (A)—

9 (i) in clause (i), by striking “, and”
10 and inserting “; and”; and

11 (ii) in clause (ii), by striking the
12 comma at the end and inserting a semi-
13 colon;

14 (C) in subparagraph (C), by striking
15 “twenty-four-hour telephone service” and in-
16 serting “24-hour telephone or information tech-
17 nology service”;

18 (D) in each of subparagraphs (B) through
19 (M), by striking the comma at the end and in-
20 serting a semicolon;

21 (E) in subparagraph (N), by striking
22 “transportation, and” and inserting “transpor-
23 tation;”;

24 (F) in subparagraph (O), by striking the
25 period and inserting a semicolon; and

26 (G) by adding at the end the following:

1 “(P) encourage the integration of electronic
2 health records systems through application program-
3 ming interfaces (or successor technologies) among
4 hospitals, organ procurement organizations, and
5 transplant centers, including the use of automated
6 electronic hospital referrals and the grant of remote,
7 electronic access to hospital electronic health records
8 of potential donors by organ procurement organiza-
9 tions, in a manner that complies with the privacy
10 regulations promulgated under the Health Insurance
11 Portability and Accountability Act of 1996, at part
12 160 of title 45, Code of Federal Regulations, and
13 subparts A, C, and E of part 164 of such title (or
14 any successor regulations); and

15 “(Q) consider establishing a dashboard to dis-
16 play the number of transplants performed, the types
17 of transplants performed, the number and types of
18 organs that entered the Organ Procurement and
19 Transplantation Network system and failed to be
20 transplanted, and other appropriate statistics, which
21 should be updated more frequently than annually.”;
22 and

23 (2) by adding at the end the following:

24 “(d) REGISTRATION FEES.—

1 “(1) IN GENERAL.—The Secretary may collect
2 registration fees from any member of the Organ
3 Procurement and Transplantation Network for each
4 transplant candidate such member places on the list
5 described in subsection (b)(2)(A)(i). Such registra-
6 tion fees shall be collected and distributed only to
7 support the operation of the Organ Procurement
8 and Transplantation Network. Such registration fees
9 are authorized to remain available until expended.

10 “(2) COLLECTION.—The Secretary may collect
11 the registration fees under paragraph (1) directly or
12 through awards made under subsection (b)(1)(A).

13 “(3) DISTRIBUTION.—Any amounts collected
14 under this subsection shall—

15 “(A) be credited to the currently applicable
16 appropriation, account, or fund of the Depart-
17 ment of Health and Human Services as discre-
18 tionary offsetting collections; and

19 “(B) be available, only to the extent and in
20 the amounts provided in advance in appropria-
21 tions Acts, to distribute such fees among
22 awardees described in subsection (b)(1)(A).

23 “(4) TRANSPARENCY.—The Secretary shall—

1 “(A) promptly post on the website of the
2 Organ Procurement and Transplantation Net-
3 work—

4 “(i) the amount of registration fees
5 collected under this subsection from each
6 member of the Organ Procurement and
7 Transplantation Network; and

8 “(ii) a list of activities such fees are
9 used to support; and

10 “(B) update the information posted pursu-
11 ant to subparagraph (A), as applicable for each
12 calendar quarter for which fees are collected
13 under paragraph (1).

14 “(5) GAO REVIEW.—Not later than 2 years
15 after the date of enactment of this subsection, the
16 Comptroller General of the United States shall, to
17 the extent data are available—

18 “(A) conduct a review concerning the ac-
19 tivities under this subsection; and

20 “(B) submit to the Committee on Health,
21 Education, Labor, and Pensions and the Com-
22 mittee on Finance of the Senate and the Com-
23 mittee on Energy and Commerce of the House
24 of Representatives, a report on such review, in-
25 cluding related recommendations, as applicable.

1 “(6) SUNSET.—The authority to collect reg-
2 istration fees under paragraph (1) shall expire on
3 the date that is 3 years after the date of enactment
4 of the OPTN Fee Collection Authority Act.”.