

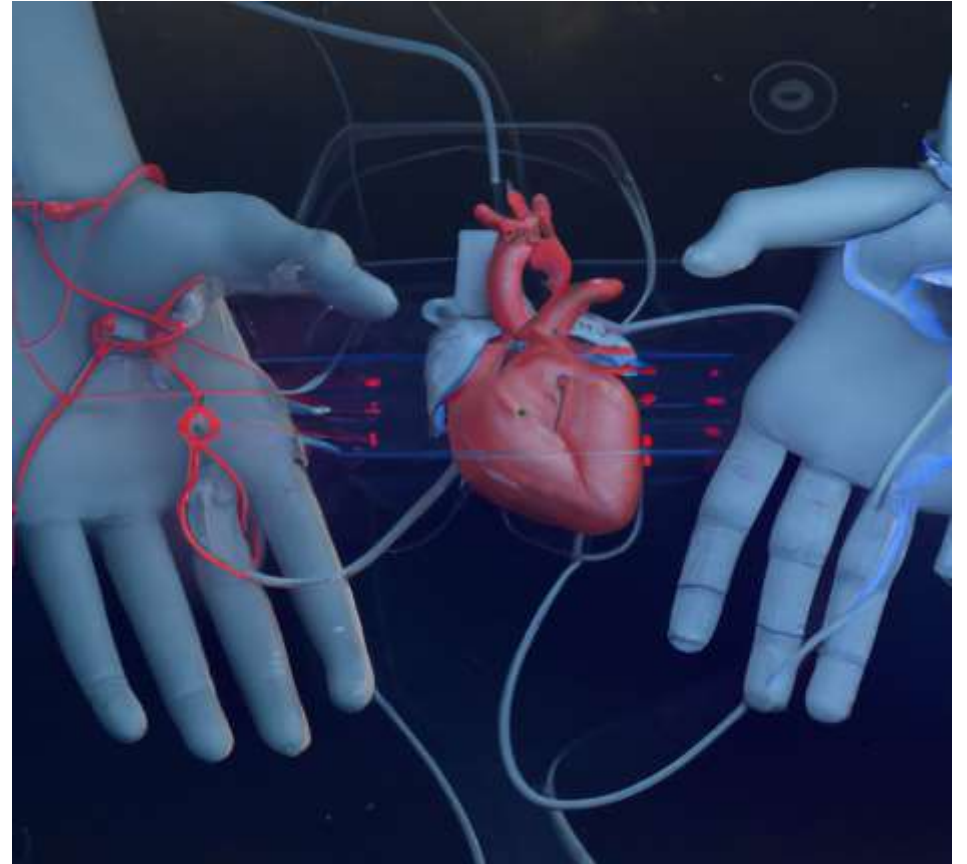
Life After Death: The Legal and Ethical Landscape of Organ Donation and Transplantation

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- **Introduction to Organ Donation and Transplantation**
- **Legal Aspects of Organ Donation and Transplantation**
- **Ethical Considerations of Organ Donation and Transplantation**
- **Challenges in Organ Donation and Transplantation**
- **Recent Developments in Organ Donation and Transplantation**
- **Conclusion: The Importance of Organ Donation and Transplantation**

Introduction to Organ Donation and Transplantation

- Organ donation and transplantation are medical procedures that involve the transfer of organs from one person to another. These procedures have the potential to save lives and improve the quality of life for those in need.
- However, there are legal and ethical considerations that must be taken into account when it comes to organ donation and transplantation. In this presentation, we will explore these considerations in depth.



Major organs & Tissues Transplanted

- Chest :-

 - Heart – 4 hrs

 - Lung – 4 to 6 hrs

- Abdomen :-

 - Kidney – 72 hrs

 - Liver- 24 hrs

 - Pancreas- 24 hrs

 - Intestines

 - Stomach

 - Testes

 - Hand

 - Corneae

 - Skin

 - Islet of Langerhans

 - Bone Marrow

 - Heart Valves – 10 yrs

 - Bone – 5 yrs

 - Blood

 - Hair

Types of Transplants

- Autologous / Autograft
- Allogenic / Heterologous
- Xenograft/ Heterograft
- Synthetic Skin Substitutes

Types of Donor

- Living
- Cadaver

Requirements :-

Formation of State level coordination committee to streamline project



SOP for Declaration to transplantation



Common waiting list of Patients



Proper unbiased format



All centre should work under committee

- Form 4 - MCCD _ Medical certificate for cause of death
- Form 6 – For spousal living donor
- Form 7 – For organ / Tissue pledging
- Form 8 – For Declaration cum Consent
- Form 10 – Application for approval of for transplantation(Live Donor)

Legal Aspects of Organ Donation and Transplantation

- Organ donation and transplantation vary from country to country.
- In some countries, organ donation is voluntary and requires the consent of the donor or their family.
- In other countries, organ donation is mandatory unless the individual opts out.
- In addition to laws surrounding organ donation, there are also laws regarding the allocation of organs and the transplantation process.
- These laws aim to ensure fairness and equity in the distribution of organs.

- **THOA** – 1944 – for removal , storage, transplantation of organs for therapeutic purposes
- THOTA -1994- also for prevention of commercial dealings
- In India – 1994- both deceased and living donors can donate
- Identifies Brain Death as a form of death
- NOTTO - Apex Body for activities relating to procurement, allotment & distribution of organs in the country
- Behind Spain , US, UK- 0.65 / million population (2019) = 0.01 % of total population
- Under reporting of brain death cases
- SOTTO
- ROTTO – In WB at IPGMER, Kolkata

Ethical Considerations of Organ Donation and Transplantation

- Ethical considerations play a significant role in organ donation and transplantation.
- One of the main ethical issues is the concept of informed consent.
- Donors and their families must fully understand the risks and benefits of organ donation before making a decision.
- Other ethical considerations include the fair distribution of organs, the use of living donors, and the potential for exploitation of vulnerable individuals.
- It is important to consider these ethical issues in order to ensure that organ donation and transplantation are conducted in a morally responsible manner.

- Organ allocation
- Distributive Justice
- How to fairly divide resources
- Equal Access
- Maximum Benefit
- Increasing organ donation :- Limited resource , Cadaveric organs, Presumed consent, Incentives, Prisoners

Problems with Cadaver organ Donation

- Community problem – No awareness o Brain death concept / misconcepts
- Hospital Problem – No efforts to identify & maintain “ Brain Death “ donors
- Govt Problem – No funding for programme, No Interest

- Declare Brain Death if subject living within 1 hour
- Take Informed Consent :- While living – desire expressed as opt-in model – sign form (Sec 3 of transplantation Act); If dead from next of kin/ near relative/ in lawful possession of deadbody
- If under 18 years – from either parents / any authorized close relative
- Sec 9 - No organ /Tissues removed if minor before his death
- Sec 2 – Risk of rejection , Increased risk of infection , immunosuppressant medications – potential risk for surgery
- Sec 10 – Regulation of Hospital Conducting the removal , storage, transplantation or organs /tissues
- Sec 11 – Prohibition for removal / transplantation other than therapeutic purposes

- Ethical Issues – Autonomy, Benevolence, Non-maleficence, Free & Informed consent, Respecting dignity, integrity & equality of human beings, fairness & common good
- Sec 18 – Any person who renders his services to or at any hospital and who, for the purpose of transplantation , conducts, associates with , or helps in any manner in, the removal of any human organ without authority, shall be punished with imprisonment for a term which may extend upto 10 years and with fine upto 20 lakhs

- Sec 13 – Appropriate Authority :- Central Govt appoints , by notification , one /more officers for each of the UTs for this act
- Not eligible for transplant :-
 - Major systemic disease
 - Age inappropriateness (> 70 yrs)
 - Cancer in the last 5 years except localized skin (not Melanoma , etc) or stage 1 Breast or prostate

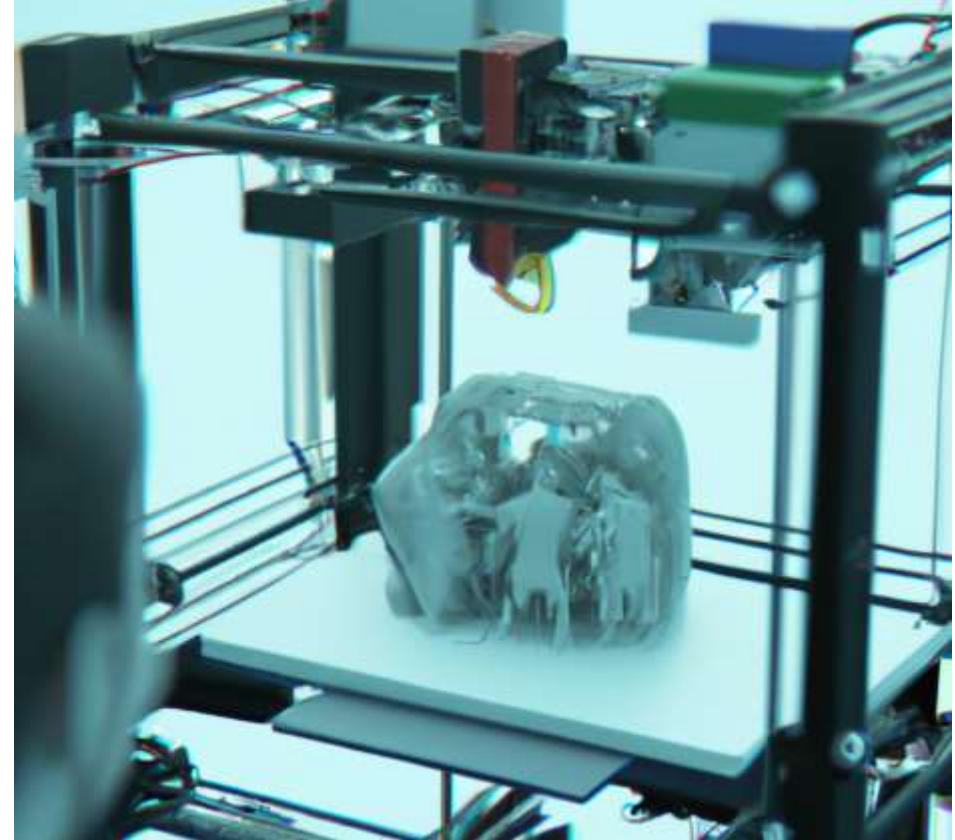
Challenges in Organ Donation and Transplantation

- Despite the many benefits of organ donation and transplantation, there are still several challenges that must be addressed.
- One of the main challenges is the shortage of available organs. This has led to long waiting lists and a high demand for organs.
- Other challenges include the cost of transplantation, the risk of organ rejection, and the need for ongoing medical care after transplantation.
- Addressing these challenges requires collaboration between medical professionals, policymakers, and the public.

Recent Developments in Organ Donation and Transplantation

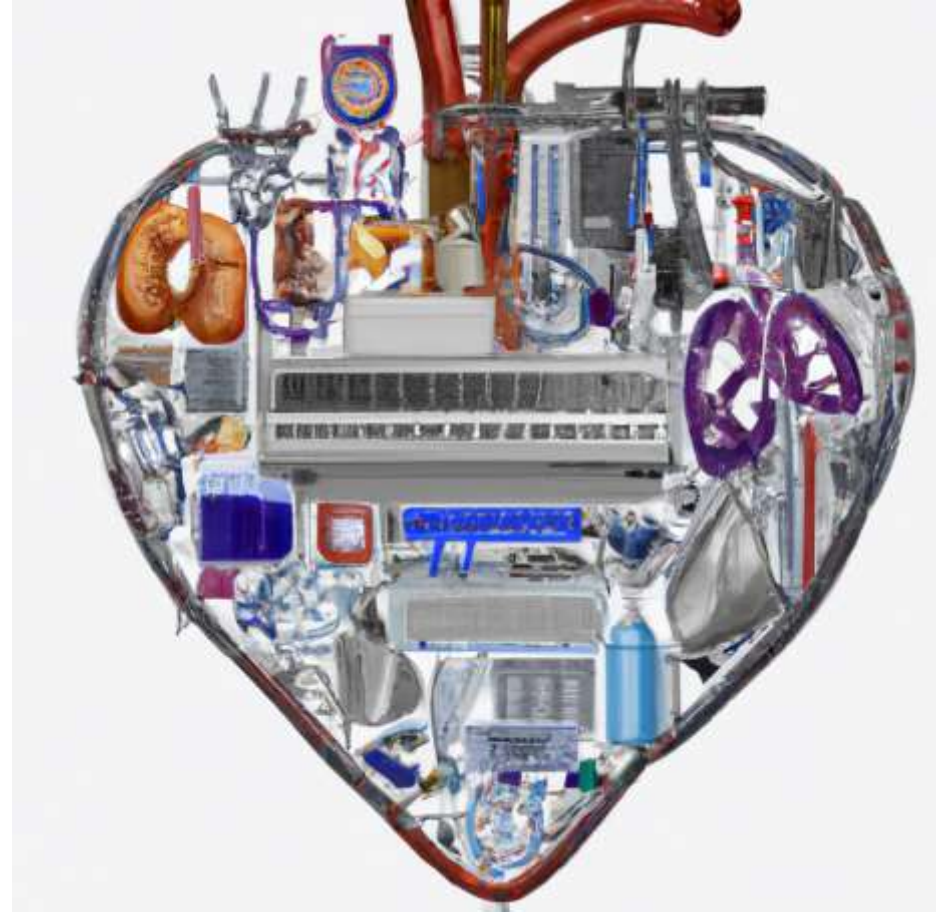
Advancements in medical technology have led to several recent developments in organ donation and transplantation. For example, researchers are exploring the use of 3D printing to create artificial organs and tissues.

- Other developments include the use of
- stem cells to regenerate damaged
- organs and the development of new techniques to reduce the risk of organ rejection. These advancements have the potential to revolutionize the field of organ donation and transplantation.



Conclusion: The Importance of Organ Donation and Transplantation

- Organ donation and transplantation are incredibly important medical procedures that have the potential to save lives and improve the quality of life for those in need. However, they also come with legal and ethical considerations that must be taken into account.
- By addressing the challenges and continuing to make advancements in the field, we can ensure that organ donation and transplantation remain a vital part of modern medicine.



- Organ Shortage is a Crisis , however the crisis has a Cure:-

In India –

- ☐ Need to Network & start thinking of sharing resources, expertise & organs.
- ☐ Use Media to promote
- ☐ Get Religious Head to participate
- ☐ Have Transparency in programme
- ☐ Set up regional transplant co-ordinators Forum
- ☐ Social appreciation of donor family

THANK YOU