



H48 Next-of-Kin—May I? Providing Information to an Organ/Tissue Procurement Organization (O/TPO) on Out-of-Hospital Deaths

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Learning Overview: The goal of this presentation is to discuss referring out-of-hospital deaths to an O/TPO. After attending this presentation, attendees will be able to gain consent, if needed, from Next-Of-Kin (NOK) to provide information to an O/TPO.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by possibly increasing the number of life-saving tissues in the community.

Medical Examiners/Coroners are crucial in the donation process. By referring all out-of-hospital deaths to an O/TPO, they can ensure that many citizens in their community are given the opportunity to leave a legacy through the gift of donation. Because the majority of suitable donors fall under medical examiner/coroner jurisdiction, their role in referring out-of-hospital deaths and releasing tissue for donation is one of the most important components in the transplantation process.

Per the Official Code of Georgia Annotated (O.C.G.A) § 44-5-159.2, "... a medical examiner shall release to the procurement organization the name, contact information, and available medical and social history of a decedent whose body is under the jurisdiction of the medical examiner." In 2009, the Fulton County Medical Examiner's Office requested an official opinion from the Fulton County Attorney, specifically, "Is there anything in the law that prohibits us from providing the next-of-kin information to the tissue recovery agency?" The opinion received stated, "Fulton County Medical Examiner **cannot** provide next-of-kin information to the procurement organization that **has not** requested the information." This means that on out-of-hospital deaths, the Fulton County Medical Examiner's Office could not refer cases to the O/TPO.

According to the National Association of Medical Examiners Position Paper, Medical Examiner Release of Organs and Tissues for Transplantation, medical examiners/coroners should have "a goal of 100% referral of out of hospital deaths investigated by medical examiner/coroner offices where last known alive time is within 24 hours." With the county attorney opinion, the Fulton County Medical Examiner's Office was not able to obtain that goal. In November 2016, recognizing the loss of potential donors, the Fulton County Medical Examiner's Office requested a review of the original opinion, specifically asking if the "law prohibits Fulton County Medical Examiner's Office from providing the next-of-kin information to an organ procurement agency such as LifeLink of Georgia®." The current opinion is that "Fulton County Medical Examiner's Office is not prohibited from providing next-of-kin information to LifeLink of Georgia® so long as the next of kin has given their consent prior to releasing this information."

On November 15, 2017, after revising the Organ and Tissue Procurement Standard of Operating Procedure and training medicolegal death investigators, Fulton County Medical Examiner's Office began referring out-of-hospital deaths to LifeLink of Georgia®. Between November 15, 2017, and April 30, 2018, Fulton County Medical Examiner's Office medicolegal death investigators responded to 561 scenes and received next-of-kin consent to share their information in 135 (24%) cases.

Donation, Referral, Deaths