

Date of Hearing: March 20, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 490 (Vince Fong) – As Introduced February 7, 2023

SUBJECT: National Marrow Donor Program

SUMMARY: Requires the Department of Motor Vehicles (DMV) to provide space for signs about the national marrow donor program registry at facilities where applications for driver’s licenses and identification cards are received, starting January 1, 2027. Specifically, **this bill:**

- 1) Requires the DMV to provide space for a sign or notice briefly describing the National Marrow Donor Program registry in DMV office areas where applications for driver’s licenses or identification cards are received.
- 2) Requires the DMV to provide a pamphlet or brochure providing more detailed information for the National Marrow Donor Program registry.
- 3) The signs mentioned above, notices, pamphlets, and brochures shall be provided by the National Marrow Donor Program registry without cost to the DMV.

EXISTING LAW:

- 1) Authorizes Donate Life California, a non-profit entity, to maintain the registry for people who have identified themselves as organ, eye, and tissue donors upon their death. (Health and Safety Code (HSC) 7150.90)
- 2) Requires DMV to ask verbally of all applicants for original or renewal driver’s license (DL) or identification (ID) cards if they want to become organ and tissue donors. (Vehicle Code Section (VEH) 12811.3)
- 3) Requires DMV to enter into an MOU with Donate Life California regarding the language on the DL form regarding enrollment. (VEH 12811.3)
- 4) Requires DMV to print the word “DONOR” on the face of a driver’s license or ID card to any registrant. (VEH 12811.3)
- 5) Requires DMV to include a written inquiry during the DL application process if the applicant wishes to become a potential bone marrow or blood stem cell donor by enrolling in the National Marrow Donor Program’s registry. (Vehicle Code Section (VEH) 12811.4)
- 6) Requires DMV to enter into a memorandum of understanding (MOU) with the National Marrow Donor Program on the language to be included on the DL application form, including definitions of enrollment and donor requirements, as well as legal disclosures. (VEH 12811.4)

FISCAL EFFECT: Unknown

COMMENTS:

The Uniform Anatomical Gift Act authorizes the recovery of an individual's organs and tissues in the event of their death. Those under the age of 18 require parental consent to be organ donors. Individuals over the age of 18 can give consent by registering as organ donors with Donate Life California. Organ donations can be used to give to another person in need of an organ or be used for research purposes.

In the 1980s, Congress established the National Marrow Donor Program. The program has become the largest major registry with potential marrow donors and cord blood units in the world. Be the Match, a national non-profit administers the program. The program has facilitated more than 105,000 transplants. The Federal Government recently reauthorized the National Bone Marrow Transplant Act in 2021. In 2022 the California legislature passed Charlie's Law which resembled the successful approach used to register organ donors. Today, there are over 17.5 million Californians registered to be organ donors, and over 95% of them enrolled when they applied for a DMV DL or ID card.

This bill builds on previous legislation by requiring the DMV to provide space for signs and pamphlets provided by the National Bone Marrow Donor program that inform driver's license and ID card applicants about the program registry.

According to the author, "Each year, approximately 18,000 people are diagnosed with life-threatening illnesses where a bone marrow transplant is needed to save their lives. While it is difficult to find a bone marrow donor match, it is especially challenging for people of color. By making the National Bone Marrow Program pamphlets available at all Department of Motor Vehicle locations, AB 490 has the potential to substantially increase the number of possible donors while also increasing the likelihood that a person who is in serious need of a bone marrow transplant is able to find a suitable donor."

A successful bone marrow registry requires numerous, informed, and diverse registrants. Only 30% of people needing a bone marrow transplant are able to get one from a family member thus the other 70% have to rely on the registry to find a match. From 2016-2020, 1,691 Californians were donors, while 5,339 California patients were looking for a donor. According to *Getting to the Heart of Being the Match: A Quantitative Analysis of Bone Marrow Donor Recruitment and Retention Among College Students*, obtaining actual donations from registered donors has been an issue. Only 18.5% of registered donors in Be the Match donate bone marrow or blood stem cells to people needing a transplant. Researchers suspect college students were less likely to donate after signing up for the registry because of a lack of knowledge concerning the disease and donation process.

According to Be the Match, another barrier to finding a donor is the lack of ethnic diversity. 79% of Caucasians are likely to find a match based on the existing donor list, compared to 48% of Latinx, 47% of Asian or Pacific Islanders, and 29% of African Americans.

Previous legislation:

AB 1374 (Mullin) Chapter 211, Statutes of 2021, required the language on DL application regarding enrollment in the Donate Life California Organ and Tissue Donor Registry to reflect mutually agreed upon language between DMV and Donate Life California.

SB 108 (Speier) Chapter 740, Statutes of 2001, authorized the establishment of an Organ and Tissue Donor Registry in the California Health and Human Services Agency and requires DMV to provide an enrollment form to anyone coming to obtain or renew their driver's licenses.

SB 112 (Speier) Chapter 405, Statutes of 2003, transferred responsibility for establishing the registry to a private, non-profit organization. Required DMV to provide donor registration forms to those applying for driver's licenses or identification cards. These forms included instructions to mail the completed form to Donate Life California.

SB 689 (Speier) Chapter 665, Statutes of 2005, required DMV to include on its applications for driver's licenses and identification cards a space for the applicant to give his or her consent to be an organ or tissue donor.

SB 1395 (Alquist) Chapter 217, Statutes of 2010, required DMV to update its applications with specified language asking the applicant to check yes or no to add his/her name to the organ donor registry.

AB 1800 (Low) Chapter 952, Statutes of 2022, This bill requires the DMV to ask on the DL form whether an applicant wishes to register to be a bone marrow donor and authorizes DMV to share an applicant's contact information with the National Marrow Donor Program.

AB 1045 (Low of 2022) was identical to AB 1800. That bill was held on Suspense in Assembly Appropriations Committee.

AB 810 (Gipson of 2020) SB 685 (Galgiani of 2019), and SB 987 (Galgiani of 2018) would have added additional disclosure language to the driver's license form for the purposes of organ and tissue donation. AB 810 died in Assembly Transportation Committee, SB 685 died in Senate Appropriations Committee, and SB 987 was vetoed by Governor Brown.

REGISTERED SUPPORT / OPPOSITION:**Support**

None on file

Opposition

None on file

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