

VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

CHAPTER 467

An Act to amend and reenact § 32.1-297.1 of the Code of Virginia, relating to the Virginia Transplant Council.

[S 573]

Approved April 2, 2002

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-297.1 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-297.1. The Virginia Transplant Council.

A. For the purpose of advising the Board, conducting educational and informational activities and coordinating such activities as they relate to organ, tissue, and eye donation, procurement, and transplantation efforts in the Commonwealth, there is hereby established the Virginia Transplant Council (the "Council"). *The Council shall also provide a forum for discussion among its members of any issues of which it may be apprised that could impact the effectiveness of its activities and the relationship between the public and its members.*

The Council shall be staffed by an executive director, who shall be a state employee for all purposes. The Council may establish such bylaws as may be necessary for its operation, consistent with state and federal law.

B. The membership of the Council shall consist of the following organizations, each of whom shall have one vote: the Bone Marrow Transplantation Program at Medical College of Virginia Hospitals, the Bone Marrow Program at Virginia Blood Services, the Bone Marrow Transplantation Program at the University of Virginia Medical Center, Carolina Organ Procurement Agency, INOVA Fairfax Hospital, Henrico Doctors' Hospital, LifeNet, Life Resources Regional Donor Center, Lion's Medical Eye Bank and Research Center of Eastern Virginia, Medical College of Virginia Hospitals, Old Dominion Eye Bank, Roanoke Memorial Hospitals, Sentara Norfolk General Hospital, South-Eastern Organ Procurement Foundation, University of Virginia Health Sciences Center, Virginia Hospital and Healthcare Association, Virginia's Organ Procurement Agency, ~~and~~ Washington Regional Transplant Consortium, and any successor organization thereof which remains directly involved in activities related to organ, tissue, or eye donation, procurement, or transplantation in Virginia, *and one representative of donor families and one representative of transplant recipients.* The Council shall elect, from among its membership, such officers as its bylaws require to serve for the terms established in such bylaws.

The Council shall also elect the representatives of donor families and transplant recipients who shall serve for terms established in the bylaws.

C. In order to provide flexibility and coordination and to prevent duplication of efforts, the Council may agree to extend nonvoting, associate membership on the Council to representatives of other organizations, agencies, or experts, public or private, who (i) are directly involved in or (ii) provide education or information on organ, tissue, or eye donation, procurement, or transplantation. Such membership shall be extended to the Virginia Departments of Education, Health Professions, and Motor Vehicles, *and shall include at least one representative of the faith community and one representative of local public schools,* and may be extended to other organizations, agencies, or experts as the Council deems appropriate.

D. The Council shall (i) advise the Board regarding the administration of the Council's activities; (ii) conduct and coordinate education and informational activities as they relate to organ, tissue, and eye donation, procurement, and transplantation efforts; and (iii) conduct its activities in consultation and coordination with other organizations whose goals are related to organ, tissue, or eye donation, procurement, or transplantation including, but not limited to, the End Stage Renal Disease Network of the Virginias, the North American Transplant Coordinators' Organization, the National Kidney Foundation of Virginia, the American Liver Foundation, the United Network for Organ Sharing, the Virginia Heart Association, and successor organizations thereof. To achieve its purposes efficiently and effectively, the Council may conduct its activities in partnership with its member organizations or may contract for services with appropriate parties.

E. The State Board of Health shall be designated the budgetary administrator of the Council and shall receive such funds as may be provided by the General Assembly in the appropriation act for the operation and administration of the Council. The Board, in consultation with the Commissioner, shall oversee the activities and programs of the Council and shall require the fiscal and substantive reports of the Council to be submitted on or before June 30 of each year.

F. To enable the Council to further its purposes, the Board may, on behalf of the Council, apply for, accept, and expend gifts, grants, or donations from public or private sources. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Transplant Council Education

Fund (the "Fund") which shall be administered by the Board, in consultation with the Commissioner. The Fund shall be established on the books of the Comptroller as a revolving fund and shall consist of such gifts, grants, or donations as may be received pursuant to this subsection and any moneys appropriated by the General Assembly to support the Council's education and information programs. Moneys remaining in the Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it.

G. In addition to such other reports as may be required by the Commissioner or the Board, on or before September 30 of each year, the Council shall submit a report on its activities, programs, and funding in the previous fiscal year to the Board.