

1997 SESSION

SENATE SUBSTITUTE

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SENATE BILL NO. 1022

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on January 31, 1997)

(Patron Prior to Substitute—Senator Woods)

A *BILL to amend and reenact §§ 2.1-1.7 and 32.1-297.1 of the Code of Virginia, relating to the Virginia Transplant Council.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.7 and 32.1-297.1 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-1.7. State councils.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies either affiliated with more than one agency or independent of an agency within the executive branch:

Adult Education and Literacy, Virginia Advisory Council for
Agricultural Council, Virginia
Alcohol and Drug Abuse Problems, Governor's Council on
Apprenticeship Council
Blue Ridge Regional Education and Training Council
Child Day-Care Council
Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion
Commonwealth Competition Council
Commonwealth's Attorneys' Services Council
Developmental Disabilities Planning Council, Virginia
Disability Services Council
Equal Employment Opportunity Council, Virginia
Housing for the Disabled, Interagency Coordinating Council on
Human Rights, Council on
Human Services Information and Referral Advisory Council
Indians, Council on
Interagency Coordinating Council, Virginia
Job Training Coordinating Council, Governor's
Land Evaluation Advisory Council
Maternal and Child Health Council
Military Advisory Council, Virginia
Needs of Handicapped Persons, Overall Advisory Council on the
Prevention, Virginia Council on Coordinating
Public Records Advisory Council, State
Rate-setting for Children's Facilities, Interdepartmental Council on
Revenue Estimates, Advisory Council on
Southside Virginia Marketing Council
Specialized Transportation Council
State Health Benefits Advisory Council
Status of Women, Council on the
Technology Council, Virginia
Virginia Business-Education Partnership Program, Advisory Council on the
Virginia Recycling Markets Development Council.
Virginia Transplant Council

B. Notwithstanding the definition for "council" as provided in § 2.1-1.2, the following entities shall be referred to as councils:

Council on Information Management
Higher Education, State Council of
Independent Living Council, Statewide
Rehabilitation Advisory Council, Statewide
Rehabilitation Advisory Council for the Blind, Statewide.
§ 32.1-297.1. The Virginia Transplant Council.

A. For the purpose of conducting educational and informational activities and coordinating such activities as they relate to organ and tissue, and eye donation, procurement, and transplantation efforts in the Commonwealth, there is hereby established the Virginia Transplant Council (*the "Council"*). *The Council shall be staffed by an executive director, who shall be deemed a state employee for all*

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60 *purposes.*

61 B. The membership of the Council shall ~~initially~~ consist of the following organizations, each of
62 whom shall have one vote: ~~the University of Virginia Medical Center, the Medical College of Virginia,~~
63 ~~the Virginia Organ Procurement Agency, the Eastern Virginia Renal Transplant Program, the Eastern~~
64 ~~Virginia Tissue Bank, the Old Dominion Eye Bank, the Lion'sEye and Research Center of Eastern~~
65 ~~Virginia, the Eye Bank and Research Foundation of Virginia and the South-Eastern Organ Procurement~~
66 ~~Foundation Bone Marrow Transplantation Program at Medical College of Virginia Hospitals, Bone~~
67 ~~Marrow Program at Virginia Blood Services, Carolina Organ Procurement Agency, Fairfax Hospital,~~
68 ~~Henrico Doctors' Hospital, LifeNet, Life Resources Regional Donor Center, Lions Medical Eye Bank~~
69 ~~and Research Center of Eastern Virginia, Medical College of Virginia Hospitals, Old Dominion Eye~~
70 ~~Bank, Roanoke Memorial Hospitals, Sentara Norfolk General Hospital, South-Eastern Organ~~
71 ~~Procurement Foundation, University of Virginia Health Sciences Center, Virginia Hospital and~~
72 ~~Healthcare Association, Virginias' Organ Procurement Agency, and Washington Regional Transplant~~
73 ~~Consortium, and any successor organization thereof which remains directly involved in activities related~~
74 ~~to organ, tissue, or eye donation, procurement, or transplantation in Virginia.~~

75 C. In order to provide flexibility, ~~viable~~ and coordination and to prevent duplication of efforts, the
76 ~~member organizations~~ Council may agree to ~~include as members of~~ extend nonvoting, associate
77 ~~membership on~~ the Council to representatives of other organizations, agencies, or experts, public or
78 private, who (i) are directly involved in or (ii) provide education or information on organ ~~or~~, tissue, or
79 eye donation, procurement, or transplantation as they deem appropriate. Such ~~other experts~~ membership
80 shall ~~include a representative of a bone marrow transplantation program~~ be extended to the Virginia
81 Departments of Education, Health Professions, and Motor Vehicles, and may be extended to other
82 organizations, agencies, or experts as the Council deems appropriate.

83 The Board of Health shall be designated as budgetary administrator of the Council and shall receive
84 such funds as may be provided by the General Assembly in the appropriations act. The Board shall
85 provide technical oversight for the Commonwealth of the activities of the Council and shall require such
86 fiscal and substantive reports of the Council as it deems necessary.

87 D. The Council shall conduct its activities in consultation and coordination with other organizations
88 whose goals are related to organ ~~or~~, tissue, or eye donation, procurement, or transplantation including,
89 but not limited to, the End Stage Renal Disease Network of the Virginias, the North American
90 Transplant Coordinators' Organization, the National Kidney Foundation of Virginia, the American Liver
91 Foundation, the United Network for Organ Sharing ~~and~~, the Virginia Heart Association, ~~and successor~~
92 ~~organizations thereof.~~ To achieve its ~~purpose~~ purposes efficiently and effectively, the Council may
93 conduct its activities ~~through in partnership with~~ its member organizations or may contract for services
94 with appropriate parties.

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

100 F. To enable the Council to further its purposes, the Board may, on behalf of the Council, apply for,
101 accept, and expend gifts, grants, or donations from public or private sources. There is hereby created in
102 the state treasury a special nonreverting fund to be known as the Virginia Transplant Council Education
103 Fund (the "Fund"). The Fund shall be established on the books of the Comptroller as a revolving fund
104 and shall consist of such gifts, grants, or donations as may be received pursuant to this subsection and
105 any moneys appropriated by the General Assembly to support the Council's education and information
106 programs. Moneys remaining in the Fund at the end of each fiscal year shall not revert to the general
107 fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be
108 credited to it.

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

112 2. That, consistent with the provisions of § 32.1-297.1 A, the individual serving as the executive
113 director of the Virginia Transplant Council on January 1, 1997, shall, upon the effective date of
114 this provision, be offered such position. Further, between the date of the enactment of this
115 provision and its effective date, the Commissioner shall work with the Council's members and its
116 executive director to develop understanding and agreement on future activities of the Council, to
117 accord appropriate recognition of the Council's work, and to develop a plan for a smooth
118 transition to permanent collegial body status.