



# Oregon

Tina Kotek, Governor

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### **Position Statement on Organ, Tissue, and Eye Procurement Organization Collaboration with County-Level Medical Examiner Systems within the State of Oregon**

County-level medical examiner offices throughout the State of Oregon play a critical role in the determination of cause and manner of death while ensuring justice and accuracy in death investigations. The Oregon State Medical Examiner's Office, a division of the Oregon State Police, supports the vital need for collaboration between county-level medical examiner systems and organ/tissue/eye procurement organizations to facilitate the timely release of organs and tissues for transplantation while still upholding medical examiner responsibilities.

Cooperation between medical examiner offices and organ/tissue procurement organizations is essential to address the pressing need for organs and tissues for transplantation, therapy, and research. As of December 2023, within the State of Oregon alone, there are currently 802 men, women, and children waiting for a life-saving organ transplant, with 438 of those potential recipients waiting more than one year for an organ to become available for transplantation.<sup>1</sup> It's imperative that medical examiner offices recognize the significance of expediting the release of organs and tissues for transplantation and the profound impact that decision has on saving lives and, fulfilling the altruistic intentions of donors and/or their families – which in turn fosters a culture of compassion and solidarity.

Successful collaboration requires clear guidelines and protocols to balance the timely procurement of organs and tissues with the medical examiner obligations of a death investigation. Establishing efficient communication channels, standardized procedures, and mutual understanding ensures that the donation process does not compromise the integrity of death investigations and forensic examinations. Developing training programs emphasizing the complexities of organ donation and transplantation is critical to ensuring medical examiners have a fundamental understanding of how the donation process works. This education will empower county-level medical examiner offices to make informed decisions and manage cases effectively, striking a balance between facilitating donations and fulfilling their medical examiner responsibilities.

The release of organs and tissues for transplantation must align with legal and ethical standards. Medical

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<sup>1</sup> *State data - OPTN. Organ Procurement and Transplantation Network. (2023).*  
<https://optn.transplant.hrsa.gov/data/view-data-reports/state-data/>

examiners must uphold their responsibility to thoroughly document, examine, and preserve evidence during investigations. Collaborating with organ and tissue procurement organizations should not undermine the accuracy and thoroughness of medical examiner investigations. This collaborative relationship respects and honors the decision made by a decedent and/or their family members, contributing to the life-saving mission of transplantation.

The position of the Oregon State Medical Examiner's Office is aligned with that of the National Association of Medical Examiners, which states, "ME/Cs should permit the recovery of organs and/or tissues from decedents falling under their jurisdiction in virtually all cases, to include cases of suspected child abuse, other homicides, and sudden unexpected deaths in infants."<sup>1</sup> Although a blanket approval may not be appropriate in all of these types of cases, the Oregon State Medical Examiner's Office and organ and tissue procurement organizations agree that a case should be fully evaluated to determine which organs can be procured for life-saving transplantation, while supporting restrictions of only those organs vital to the determination of cause and manner of death or those that may have evidentiary value, as determined by the circumstances of the case. This position is also aligned with OSAC 2023-N-0004<sup>2</sup>, the Standard for Interactions Between Medical Examiner, Coroner, and all other Medicolegal Death Investigation Agencies and Organ and Tissue Procurement Organizations and Eye Banks, enacted by the Organization of Scientific Area Committees on Forensic Science (OSAC), a standards producing organization that is administered by the National Institute of Standards and Technology (NIST) in collaboration with the Department of Justice (DOJ).

In conclusion, the Oregon State Medical Examiner's Office advocates for a harmonious partnership between county-level medical examiner offices and organ and tissue procurement organizations. This collaboration aims to honor the wishes of donors and/or their families, increase transplantation rates, and save the lives of recipients on the waiting list while preserving the integrity of forensic investigations. By establishing effective protocols and fostering understanding, this collaboration serves the dual purpose of advancing medicine and upholding the principles of justice and compassion.

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<sup>1</sup> National Association of Medical Examiners. (2019, July 20). Position Statement: Medical Examiner Release of Organs and Tissues for Transplantation .  
<https://www.thename.org/assets/docs/Organ%20and%20Tissue%20Statement%20July%202019.pdf>

<sup>2</sup> Organization of Scientific Area Committees, & Medicolegal Death Investigation Subcommittee, OSAC 2023-N-0004 Standard for Interactions Between Medical Examiner, Coroner and all other Medicolegal Death Investigation Agencies and Organ and Tissue Procurement Organizations and Eye Banks .