



NOTA Makes It ‘Public’

BY JAMES F. CHILDRESS, Ph.D.

One of the big questions that challenged the federal Task Force on Organ Transplantation was how to



think about dispositional authority—sometimes called ownership—over donated organs. For many of us, the answer to this question would shape both the

process for developing criteria for the allocation of donated organs and the substance of those criteria.

The task force proposed a large conceptual and normative shift in the conception of dispositional authority over donated organs. It held that donated organs belong to the community—they are “public resources.” Procurement and transplant teams receive donated organs as “stewards” or “trustees” for the community.

In order to avoid misinterpretations, which have sometimes arisen over the last 25 years, I should note that this language of “public resources” applies only to *nondirected donated organs*. This shift in perspective implies that the criteria for organ allocation should be developed in public, with input from the public, since organs come from the public and are distributed to the public.

To a greater or lesser extent, this perspective still operates in UNOS and within the OPTN network. It doesn’t minimize the need for expert, professional input—that is indispensable. But it does require that all allocation policies be justified and justifiable to the public, the source of donated organs for transplantation.

The public’s trust in the fairness of allocation criteria is necessary to sustain practices of organ donation. **U**

James F. Childress, Ph.D., served as vice chair of the federal Task Force on Organ Transplantation, the body that recommended a “national network to arrange for the transplanting of human organs”—which led to creation of the Organ Procurement and Transplantation Network (OPTN). He also served on the OPTN/UNOS board of directors and the ethics committee. Dr. Childress is professor of ethics and medical education at the University of Virginia in Charlottesville. (Photo, 1988.)

1984 National Organ Transplant Act (NOTA) passed, establishing the framework for a national system of organ transplantation.

First successful double-lung transplant performed.

1986 UNOS receives the initial federal contract to operate the national Organ Procurement and Transplantation Network (OPTN).

1986–1990 First successful intestinal transplant, living donor liver and living donor lung transplants performed.

1992 UNOS helps found Donate Life America, originally the Coalition on Donation, to build public support for organ donation.



Since 1987, more than 2,300 individuals have volunteered their time and expertise on the OPTN/UNOS board of directors, committees and working groups, or on regional or national review boards.