



GOVERNMENT OF KERALA

Abstract

Health & Family Welfare Department – Transplantation of Human Organs – Duties and responsibilities of Transplant Centres in hospitals – Detailed instructions – Orders Issued

HEALTH AND FAMILY WELFARE (S) DEPARTMENT

G.O (MS)No.39/2012/H&FWD

Dated, Thiruvananthapuram, 04.02.2012

- Read:- 1) GO(MS)No.36/2012/H&FWD dated 04.02.2012
2) GO(MS)No.37/2012/H&FWD dated 04.02.2012
3) GO(MS)No.38/2012/H&FWD dated 04.02.2012

ORDER

1. Organ transplantation is a life saving procedure and a large number of patients with end stage organ failure are waiting to undergo transplant surgery at authorised transplant centres. The Transplantation of Human Organs Act, 1994 is the only enabling legislation in our country made with the objective of promoting and regulating the transplantation of human organs like kidney, liver, heart etc. both live as well as cadaver. As laid down in the Transplantation of Human Organs Act, 1994, and the Transplantation of Human Organs Rules, 1995 and the amendments made thereunder, the Government of Kerala have issued several orders and instructions including formation of Appropriate Authority, functioning of Authorisation Committees at Regional and State Level and so on. The Government have since issued orders implementing Cadaver Organ Transplant (COT) in the State and also issued procedures to be followed while dealing with Brain stem death declaration.

2. It is now felt that in the current scenario where more hospitals are expected of being registered as transplant centers/Non Transplant Organ Retrieval Centers, it become necessary to ensure that transparency, accountability, patient well being and quality care are adequately taken care of. Also, considering the fact that cadaver donation is done with altruistic motives and in a generous charitable manner as a willing contribution to society, it is necessary that cadaver donation be governed by transparency on all fronts to ensure that the sentiments of the donor's relatives are adequately respected. Hence, it is considered necessary that a certain degree of accountability is also insisted upon. Considering this, the following orders regarding further responsibilities of registered transplant centers are issued.

3. All transplant centres shall maintain all transplant surgery records as required in the Act and Government orders for a minimum period of ten years.

4. All transplant centre hospitals and NTORCs shall ensure the availability of a counseling department / wing to whom the task of counseling the individuals involved in organ transplant is entrusted. This counseling department / wing should be staffed with personnel who are adequately trained. The assistance of

NGOs professionally involved in counseling may be secured. In the case of non near relative live donors, the counseling department may assist in ensuring that there is no element of coercion or other pressure exerted on the donor and also assist in provision of post operative counseling.

5. Each transplant centre shall designate a transplant coordinator in the hospital, who may be in-house on account of interest / expertise and their role may be defined by the hospital concerned. Transplant coordinators shall play the coordinating role in all matters relating to organ transplant on behalf of the hospital that they represent.

6. A transplant centre hospital shall not reveal the identity or attract any form of media publicity earlier than the date of discharge of recipients. Even after discharge, while the positive aspects of organ donation may be highlighted to promote the cause of organ donation, neither should the details of the recipient nor should the ethics of the medical profession towards attracting publicity be compromised or violated in any manner.

7. No media coverage of the transplant procedure should be done.

8. In order to ensure transparency and accountability for the reason mentioned above, all transplant centre hospitals that wish to benefit from the cadaver transplant program are required to display the approximate range of cost of a transplant surgery by specifying the organ type on the website of the hospital and the website to be designated for this purpose by the Health Department.

(By Order of the Governor)
RAJEEV SADANANDAN
Principal Secretary to Government

To

The Director Medical Education, Thiruvananthapuram
The Director of Health Services, Thiruvananthapuram
The Principal, Medical College, Thiruvananthapuram, Kottayam,
Alappuzha, Thrissur & Kozhikode
All the District Medical Officers (Health) (through DHS)
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