

Organ donation: two deaths or one life

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The donation of organs after death is not often a common topic; however, it is a problem that needs addressing. Organ transplantation has become a solution to organ failure, but the rate of failing organs is drastically higher than that of the donors. 118, 466 (OPTN: Donor Data, Web) people are currently waiting on life-saving organs, and every ten minutes (The Need is Real, Web) another person is added to that list. It is a rising trend, and 51, 701 (OPTN: Donor Data, Web) people were added to the list last year, and only 8, 143 (OPTN: Donor Data, Web) people donated their organs after their death.

There is simply not enough awareness or concern on this matter, and as such people needlessly die every day. The United States should revitalize the organ donation system by implementing a presumed consent policy, allowing individuals to opt-out if wanted, as opposed to the current method of mandated choice or opt-in, in order to generate more awareness and increase the number of donors. Currently, efforts to increase organ donation include: advertisement, public education campaigns, and a checkbox on a DMV form for a license.

Neither is efficient, nor do they provide enough information for the individuals to actually understand what organ donation is and what it includes. When asked whether or not you would save a life if you had the ability, most people would probably answer yes. This is essentially what organ donation does, but most people don't realize this and so they don't elect to be one. Some may object to the idea of presumed consent legislation because they fear it would violate human rights, which is a very important factor in considering this solution.

It is however void because any individuals who would not want to be a donor could simply opt out. Along with this, in the current system of mandated choice, human rights are violated constantly. Even if a person had registered to be an organ donor, it is not guaranteed, as in many cases it is ultimately up to the next of kin. If they do not want their loved one to be a donor, then it is highly unlikely for UNOS to receive any organs.

No consideration of what was actually wanted by the patient is taken into place as there is very little time to save viable organs and therefore the next of kin is the deciding factor. Another objection that may be raised to this matter may be the family's right to make final decisions; however, the constitution makes no allowance for the ownership of a body. It is neither property nor part of an estate, and as such not able to be owned or able to be controlled by an outside source, therefore the organs within a body are not controllable by a family member.

In order to protect the right, presumed consent allows donating of all organs unless the patient was to express their want not to donate. This helps to keep the family out of the personal decision and maintains the integrity of the decision. In support of this proposal, the ethics of allowing a person to die if another is able to save them, is unavoidable. With no use to a person who is deceased, there is no reason, other than their direct discretion that should prohibit the transplant of the vital and lifesaving organs.

It is imperative that a dying patient should be saved at all costs if possible, and the vanity of the current system does not allow that to happen. It is impossible to tell how many individuals have simply not taken the time to fill

out the form to become an organ donor because of the lack of time or simply due to forgetfulness. The lack of opt-in donors in the US is not because they do not want to be one, but rather people are naturally conservative when it comes to doing something, they tend to put it off if it isn't important to them at the moment.

Therefore, it is fair to conclude that in general there are more people than are currently listed that if not wanting to donate, are not opposed to the idea. Along with this, the people that do not want to donate, usually feel much more strongly about it, and as such would be likely to opt-out. This theory is very flattering to the idea of presumed consent, as it tends to be more appealing to those with strong opinions, which mandated choice, which tends to leave out a large chunk of the population, does not.

Another reason why presumed consent is better than the current system is because the results are not theoretical, but they are known to have a positive effect. Multiple countries in Europe, such as Spain and Austria (Rithalia, Web), have enacted legislation of the same effect, and the results have been phenomenal. The number of donors has surpassed that of the need for organs being added to the list (Rithalia, Web). These countries are leading the way, and why should we not follow a plan that is proven and showing an overall decrease in the number of people on the waiting lists (Rithalia, Web).

No matter what objections may be raised, it is agreed that some drastic change is needed and although many options are viable, this is quite frankly the solution that will produce the quickest results while also being straight

forward and easy to put into effect. The US should implement presumed consent in order to help its people that are in dire need of organ donations. It is a rising need and people's lives are in the balance of this legislation. After all, should two people die if one of them could save the other?