

Term paper on why it should be legal to sell your body organs

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According to the U. S. Department of Health and Human Services, about 18 people die every day waiting for a new organ transplant. It is currently illegal in the United States for anyone to sell their organs or tissue on the open market. It is time to change this policy not only for the benefit of organ and tissue recipients but for organ and tissue donors.

Currently, most organ donations in America are from recently deceased persons who enrolled in a local or state organ donation program when they were still alive. This is not exactly a popular option for organ donation as one has to undergo the irreversible process of death in order to achieve health and happiness for others. There are some instances where people who want to donate organs and are still alive can do so, but there have not been enough volunteer donors to meet the current demand.

How do Americans who need organ donations far down the waiting list manage to get one? They may be forced to rely on the lucrative organ trafficking underground industry. A person needing a new kidney, say, travels to India and buys the kidney of a poor Indian peasant through a second-party source. The Indian donor receives a pittance for the kidney but the American gets the kidney. The World Health Organization (WHO) estimates that five to ten percent of all worldwide kidney transplants are done through organ trafficking (Budiani-Saberi, and Delmonico, 2008.)

WHO occasionally holds international conferences of medical professionals to discuss how to increase safe organ donation programs. One such conference in Kuwait recommended four ways to do so. First on their list was legalizing voluntary sales of organs in every country of the world. This would not only cut out the middleman and have donors receive a fair price for their body

parts, but also would help organ recipients gain federal medical aid for anti-rejection drugs (Budiani-Saberi, and Delmonico, 2008.) For example, Americans who buy an organ from organ traffickers are refused financial aid from Medicare for any drugs related to the new kidney. Organ recipients need to take such drugs for the rest of their lives. These drugs are very expensive and could bankrupt an organ recipient if he or she does not get any financial aid.

WHO's other recommendations include that each nation's government take charge of organ donor registration and sales. Something similar to this occurs in Iran, where individuals sell organs to the government and wind up getting free health care for one year as well as giving them a nice fee.

Recipients work off the cost of their organs when they are healthy enough for work. This helps not only reduce organ waiting lists, but also helps keep the program funded (Clark, 2013.) It also ensures that donors would be given a fair price instead of getting cheated as they are currently by organ trafficking vendors.

WHO also recommended that countries pass laws to criminalize citizens that travel to other countries to get new organs. This would help kill off the illegal organ trafficking black market. WHO also recommended that all health insurance companies refuse to pay anything for the transplant surgery or anti-rejection drugs from any person who gets an illegal organ transplant (Budiani-Saberi, and Delmonico, 2008.) Hopefully, nations would pass laws getting a national organ sale donation program under way before outlawing organ trafficking travel in order to save as many lives as possible.

If such a prestigious organization as WHO recommends the legalization of

organ donations, why are selling one's own organs still illegal in America?

There are a variety of reasons, mainly having to do with fear of anyone figuring out how to abuse the system. Forbes magazine reporter Marcia Clark pointed out that poor people rather than rich ones would be willing to sell their organs for money. Would this system then exploit the poor? It could. However, there are many other legal industries that exploit the poor, such as the mining industry and the military (Clark, 2013.)

Alternatives for the poor to make enough money to get out of the cycle of poverty are mainly nonexistent. Working longer hours or getting a raise often means that more money is taken away by taxes, leaving very little left for paying bills or being put into savings (Maag, et al, 2012). Selling organs could be one way for the poor to supplement their low incomes legally and save lives in the bargain.

Would people who sell their organs regret their decision and try to sue surgeons or the government for damages? It is possible, but making potential donors sign contracts or having them attend a mandatory counseling session letting them know what they are getting into could help relieve this fear. Potential fears of phantom lawsuits should not be a barrier for saving lives.

Are there any alternatives other than allowing people to sell their own body parts? Currently stem-cell research is promising. Stem cells harvested from embryos, from placentas, from other body parts and from the recipients themselves have been used to grow healthy tissue such as bone marrow for transplantation. However, stem cell research was stalled for years under the legal restrictions by President George W. Bush. Although President Obama

repealed these restrictions and research is promising, it does not help someone who needs a new kidney now. Currently, their only way of getting a new kidney is through organ transplants. In the future it may be possible to grow new kidneys, livers, hearts or whatever in a petri dish, but that day may come far too late for many people waiting for organ donations. Hoping that things will get better in the future is not a viable option.

What is available now is transplantation of a healthy organ from one person to another. In the decades since transplantations surgeries first started, the surgeries are safer than ever for both donor and recipient.

As long as a system of selling organs is voluntary, why not make selling organs legal? People are nervous that somehow the system would be abused so that organ donation would be involuntary. The late comedian George Carlin used to make jokes about why he never joined an organ donation program. He joked that emergency response teams would not be so motivated to save his life when they knew that his organs could save several people. "They're looking for spare parts, man!" was the punchline of the routine.

However, the current need for organs and tissue for donation is no joke. People are dying because of squeamishness and phantom fears from those who may never need an organ transplant.

It's not as if the American government has never in the past paid for bodily fluids such as blood, blood plasma, sperm, eggs, hair and breast milk. They have. Why not make the extension to organ donation? The government could contract the organ vendor industry to private health companies in order to help offset costs and ensure that the organs would be properly handled. The

government could set regulation standards, such as a minimum rate of pay and post-operative care and prosecute any vendor found wanting. The government could also require that citizens who get paid to donate organs or tissue pay taxes on their earnings. This money could help keep the organ sales project going.

So how would this work? Here's a possible scenario. A donor fills out an online form to enter into the program. The donor then gets checked out by his or her primary care physician, perhaps getting a battery of blood and genetic tests to make sure the donor is healthy enough to donate an organ. All tests should be paid by the government program or through health insurance companies in order to encourage donation and to help the donors keep healthy.

If the donor passes these tests, then the primary care physician recommends the donor for the national organ sale program. Donors then would have to sign contracts stating that they will not try to sue anyone connected with the organ sale. A short DVD or video could be made summarizing the main points of the contract which could be viewed by not only the donors, but the general public. Local contractor vendors contact the donor and help coordinate a transplant operation at a nearby hospital that is equipped to do an organ or tissue donation. Special donation clinics would not need to be built as they would be very expensive and delay the start of the organ donation program.

The donor is then contacted when a recipient is found. Both donor and recipient go under the knife in the same hospital to ensure speedy transplantation of healthy organs. The surgeon, hospital and donors are paid

by the vendors, which are reimbursed by the government. How much would the donors get, for example, by donating one kidney? It would have to be at least five figures in order to offset costs of surgery, recovery, loss of time from work and any complications from surgery. There should be a flat rate for each organ or tissue donated so everyone knows what to expect. It could be a viable option for college students to help pay off their student loans or for young people wanting to start their own businesses.

Americans live in desperate times. A legal organ selling program would not only stop dangerous organ trafficking, but save lives of both recipients and donors.

Works Cited

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