



**new york state
RIGHT TO LIFE COMMITTEE, INC.**

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**NYS Right to Life Committee Statement of Opposition
A.2952 “Presumed Consent” Bill on Organ Donation**

This bill would automatically assume “consent” by all New Yorkers to have our organs harvested and used for transplantation, unless we opt out.* This is no longer organ “donation,” but rather the State claiming the right to harvest and distribute our organs *without consent*.

Consent, by definition, is to agree or give permission. One’s consent cannot be presumed, or it is not consent. Presumed organ “donation” is not donation.

Current law requires a specific act to become an organ donor. If this bill passes, New York would become the first state in the country to harvest organs *without consent*.

While NYSRTL supports organ and tissue transplantation by a living donor (e.g., a kidney) who can survive the donation or in cases where a patient is truly dead, the public is woefully unaware of the varying criteria of “brain death” (which constitutes legal death in New York) and the process of organ donation. **No person or family should be presumed to consent to a process that has not been fully explained and has been made a mockery of by “brain dead” donors waking up, (rising from the dead?) before the removal of their organs.**

New York State Right to Life strongly urges all legislators to oppose this gross violation of the public trust.

* The very reason this bill is being pushed is because the proponents suggest that there are people who would donate *if they thought to* – this is actually reason to oppose - because the reverse would surely be true as well. People who do not wish to have their organs harvested, either for dearly held personal or religious reasons, may not realize they had to opt out.