

(Translation)

Submission for the Hong Kong Liver Transplant Patients' Association

4 January 1999

Legislative Council, HKSAR  
(attn.: Ms Doris CHAN)

Dear Ms CHAN,

Thank you for inviting the Association to raise our proposals on the amendment of the Human Organ Transplant Ordinance.

1. Under all circumstances, the attending medical practitioner, members of the Human Organ Transplant Board and staff of the Health Department should save the life of the patients first. If time and circumstances do not allow a detailed examination of the application, front-line medical staff (surgeons and the officer in charge) should be allowed to exercise their professional discretion to operate on the dying patient, while his family members should sign to certify that they understand and undertake the risk. If it is later found that there is an element of organ trading, the Board has the right to take actions. This practice applies to transplant between non-related living persons.
2. People with too many public duties are not suitable to be Board members as they do not have the time to attend urgent meetings, which may be convened at any time of the day.
3. Members of the Board should not base their decision merely on the corresponding documents, they should instead visit the patient to understand his condition before making a decision that affects his fate.
4. The requirement for securing the signature of the intended recipient should not be applicable to those who are in coma. The next-of-kin of the patient can sign on his behalf. The Board has the right to take actions if it is later found that there is an element of organ trading.
5. There should be a channel for appeal.

Two members of the Association will attend the meeting of the Subcommittee held on 8.1.99.

Lee Lai-wo  
Hong Kong Liver Transplant Patients' Association