

FACT SHEET

Human Tissue Amendment Bill 2024

- The Human Tissue Amendment Bill 2024 amends the *Human Tissue Act 1985* to allow for DonateLife Tasmania, with the consent of organ donor families, to publish information that identifies organ donors for commemoration and promotional activities, and corrects other administrative and technical deficiencies in the Human Tissue Act that have emerged as inconsistent with contemporary advancements in medical and scientific practices.
- The *Human Tissue Act 1985* governs the donation and transplantation of human tissue within Tasmania. The Act uses a broad definition of human tissue and includes any organ, part or substance extracted from the human body unless otherwise excluded by specific provisions.
- The Human Tissue Amendment Bill will ensure that the next of kin of a deceased person may consent to the disclosure or publication of the deceased person's identifying information, as far as the disclosure or publication relates to the deceased person's organ donation.
- The Human Tissue Amendment Bill will make further amendments as follows:
 - with regards to emergency circumstances provided for by section 21(4)(b) of the Act, allow for a paramedic to take the place of a second medical practitioner in remote rescue situations, where a second medical practitioner would normally form and endorse an opinion that a child's life is in danger and a blood transfusion is the best means of preventing the death of the child, but no second medical practitioner is available;
 - remove human milk from the application of the Act's donation and transplant provisions to support the sustainable supply of donated breast milk for babies born prematurely;
 - require that any use of a child's tissue for medical research be for ethics approved research only and that consent is provided in accordance with the *National Statement on Ethical Conduct in Human Research* (the National Statement), as issued by the National Health and Medical Research Council, which is itself established under the *National Health and Medical Research Council Act 1992* (Cth); and
 - make minor amendments to other provisions of the Act that relate to children, which do not reflect contemporary practices or expectations with regards to children's capacity to consent and participate in decisions that involve them. In particular, it is recognised that marriage does not impact the ability of a person under the age of 18 to provide or refuse consent to the removal of their tissue.