

110TH CONGRESS
2D SESSION

H. R. 7198

To establish the Stephanie Tubbs Jones Gift of Life Medal for organ donors
and the family of organ donors.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2008

Mr. STARK (for himself, Mr. CAMP of Michigan, Mr. RANGEL, and Mr. MCCREERY) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Stephanie Tubbs Jones Gift of Life Medal
for organ donors and the family of organ donors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stephanie Tubbs Jones
5 Gift of Life Medal Act of 2008”.

1 **SEC. 2. ELIGIBILITY REQUIREMENTS FOR STEPHANIE**
2 **TUBBS JONES GIFT OF LIFE MEDAL.**

3 (a) IN GENERAL.—Subject to the provisions of this
4 section and the availability of funds under this Act, any
5 organ donor, or the family of any organ donor, shall be
6 eligible for a Stephanie Tubbs Jones Gift of Life Medal
7 (hereafter in this Act referred to as a “medal”).

8 (b) DOCUMENTATION.—The Secretary of Health and
9 Human Services shall direct the entity operating the
10 Organ Procurement and Transplantation Network to—

11 (1) establish an application procedure requiring
12 the relevant organ procurement organization
13 through which an individual or family of the indi-
14 vidual made an organ donation, to submit to such
15 entity documentation supporting the eligibility of the
16 individual or the family, respectively, to receive a
17 medal;

18 (2) determine through the documentation pro-
19 vided and, if necessary, independent investigation
20 whether the individual or family, respectively, is eli-
21 gible to receive such a medal; and

22 (3) arrange for the presentation to the relevant
23 organ procurement organization all medals struck
24 pursuant to section 4 to individuals or families that
25 are determined to be eligible to receive medals.

26 (c) LIMITATION.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), only 1 medal may be presented to a fam-
3 ily under subsection (b). Such medal shall be pre-
4 sented to the donating family member, or in the case
5 of a deceased donor, the family member who signed
6 the consent form authorizing, or who otherwise au-
7 thorized, the donation of the organ involved.

8 (2) EXCEPTION.—In the case of a family in
9 which more than 1 member is an organ donor, a
10 medal may be presented for each such organ donor.

11 **SEC. 3. SOLICITATION OF DONATIONS; PROHIBITION ON**
12 **USE OF FEDERAL FUNDS.**

13 (a) IN GENERAL.—The Organ Procurement and
14 Transplantation Network may collect funds to offset ex-
15 penditures relating to the issuance of medals authorized
16 under this Act.

17 (b) PAYMENT OF FUNDS.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), all funds received by the Organ Procure-
20 ment and Transplantation Network under subsection
21 (a) shall be promptly paid by the Organ Procure-
22 ment and Transplantation Network to the Secretary
23 of Health and Human Services for purposes of pur-
24 chasing medals under this Act for distribution and
25 paying the administrative costs of the Secretary of

1 Health and Human Services and the Secretary of
2 the Treasury in carrying out this Act.

3 (2) LIMITATION.—Not more than 7 percent of
4 any funds received under subsection (a) may be used
5 to pay administrative costs, and fundraising costs to
6 solicit funds under subsection (a), incurred by the
7 Organ Procurement and Transplantation Network in
8 carrying out this Act.

9 (c) PROHIBITION ON USE OF FEDERAL FUNDS.—No
10 Federal funds (including amounts appropriated for use by
11 the Organ Procurement and Transplantation Network)
12 may be used for purposes of carrying out this Act, includ-
13 ing purchasing medals under this Act or paying the ad-
14 ministrative costs of the Secretary of Health and Human
15 Services or the Secretary of the Treasury in carrying out
16 this Act.

17 **SEC. 4. DESIGN AND PRODUCTION OF MEDAL.**

18 (a) IN GENERAL.—Subject to the provisions of this
19 section, the Secretary of the Treasury shall design and
20 strike the Stephanie Tubbs Jones Gift of Life Medals,
21 each of which shall—

- 22 (1) weigh 250 grams;
23 (2) have a diameter of 3 inches; and
24 (3) consist of bronze.

25 (b) DESIGN.—

1 (1) IN GENERAL.—The design of the medals
2 shall commemorate the compassion and courage
3 manifested by and the sacrifices made by organ do-
4 nors and their families, and the medals shall bear
5 suitable emblems, devices, and inscriptions.

6 (2) SELECTION.—The design of medals struck
7 under this section shall be—

8 (A) selected by the Secretary of the Treas-
9 ury, in consultation with the Secretary of
10 Health and Human Services, the Organ Pro-
11 curement and Transplantation Network, inter-
12 ested members of the family of Stephanie
13 Tubbs Jones, Dr. William H. Frist, and the
14 Commission of Fine Arts; and

15 (B) reviewed by the Citizens Coin Advisory
16 Committee.

17 (c) NATIONAL MEDALS.—The medals struck pursu-
18 ant to this section are national medals for purposes of
19 chapter 51 of title 31, United States Code.

20 (d) STRIKING AND DELIVERY OF MINIMUM-SIZED
21 LOTS.—The Secretary of the Treasury shall strike and de-
22 liver to the Secretary of Health and Human Services no
23 fewer than 100 medals at any time pursuant to an order
24 by such Secretary.

1 (e) COST OF MEDALS.—Medals struck under this sec-
2 tion and sold to the Secretary of Health and Human Serv-
3 ices for distribution in accordance with this Act shall be
4 sold to the Secretary of Health and Human Services at
5 a price sufficient to cover the cost of designing and strik-
6 ing the medals, including labor, materials, dies, use of ma-
7 chinery, and overhead expenses.

8 (f) NO EXPENDITURES IN ADVANCE OF RECEIPT OF
9 FUND.—

10 (1) IN GENERAL.—The Secretary of the Treas-
11 ury shall not strike or distribute any medals under
12 this Act until such time as the Secretary of Health
13 and Human Services certifies that sufficient funds
14 have been received by such Secretary to cover the
15 cost of the medals ordered.

16 (2) DESIGN IN ADVANCE OF ORDER.—Notwith-
17 standing paragraph (1), the Secretary of the Treas-
18 ury may begin designing the medal at any time after
19 the date of the enactment of this Act and take such
20 other action as may be necessary to be prepared to
21 strike such medals upon receiving the certification
22 described in such paragraph, including preparing
23 dies and striking test pieces.

1 **SEC. 5. MEDALS NOT TREATED AS VALUABLE CONSIDER-**
2 **ATION.**

3 A medal under this Act shall not be treated as valu-
4 able consideration for purposes of section 301(a) of the
5 National Organ Transplant Act (42 U.S.C. 274e(a)).

6 **SEC. 6. DEFINITIONS.**

7 For purposes of this Act:

8 (1) **ORGAN.**—The term “organ” has the mean-
9 ing given such term in section 121.2 of title 42,
10 Code of Federal Regulations.

11 (2) **ORGAN PROCUREMENT ORGANIZATION.**—
12 The term “organ procurement organization” means
13 a qualified organ procurement organization de-
14 scribed in section 371(b)(1) of the Public Health
15 Service Act (42 U.S.C. 273(b)(1)).

16 (3) **ORGAN PROCUREMENT AND TRANSPLAN-**
17 **TATION NETWORK.**—The term “Organ Procurement
18 and Transplantation Network” means the Organ
19 Procurement and Transplantation Network estab-
20 lished under section 372 of the Public Health Serv-
21 ice Act (42 U.S.C. 274).

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