

# ORGAN AND TISSUE DONATION CARD

## Rabbi Joseph H. Prouser

*This pamphlet was developed and then subsequently approved by the C.JLS on June 12, 1996, by a vote of seventeen in favor and one abstention (17-0-1). Voting in favor: Rabbis Kassel Abelson, Ben Zion Bergman, Stephanie Dickstein, Elliot N. Dorff, Arnold M. Goodman, Susan Grossman, Judah Kogen, Vernon H. Kurtz, Alan B. Lucas, Aaron L. Mackler, Lionel E. Moses, Paul Plotkin, Avram Israel Reisner, Joel E. Rembaum, Elie Kaplan Spitz, Gordon Tucker and Gerald Zelizer. Abstaining: Rabbi Myron S. Geller.*

*The Committee on Jewish Law and Standards of the Rabbinical Assembly provides guidance in matters of halakhah for the Conservative movement. The individual rabbi, however, is the authority for the interpretation and application of all matters of halakhah.*

### **Summary**

The Rabbinical Assembly Committee on Jewish Law and Standards has ruled that one is obligated to permit postmortem transplantation of his or her organs in lifesaving medical procedures and that withholding consent for such organ donation is contrary to Jewish law.

*“There is no greater K’vod ha-Met (honor to the deceased) than to bring healing to the living.” (Rabbi Isaac Klein)*

### **The Need**

- Over 68,000 people are waiting for organ transplants.
- Of this number, over 2,100 are children.
- Many thousands more need donated tissues.
- Every 16 minutes a new name is added to the list.
- Typically, 13 patients each day (5,000 each year) die while waiting for their life-saving organ transplant.

### **The Success**

- Most organ transplants are very successful, either saving lives or greatly improving the quality of life for the recipients.
- One-year success rates range from 70% for livers and lungs, to over 90% for kidneys.

- Many of these recipients have had functioning transplants for over 25 years.
- Success rates continually improve as better methods to control rejection are identified.

### ***The Process***

1. Collect information about donation and transplantation.
2. Familiarize yourself with the Jewish obligation to preserve life.
3. Talk to your family about your decision.
4. Sign the attached donor card in the presence of two witnesses.
5. Carry the signed card in your purse or wallet with your identification. Include your donor status in any more comprehensive advance medical directives.

### ***Other Information to Help You Decide***

- The body of an organ and/or tissue donor is always treated with care and respect.
- There is no charge to the donor or to his or her family for donation.
- Organ and tissue donation will not delay funeral arrangements.
- Studies show that organ donation helps to shorten the time needed by members of a bereaved family to recover from their loss.
- The traditional Jewish belief in resurrection in no way precludes organ donation.

*“You shall not stand idly by the blood of your neighbor.”* (Lev. 19:166)

*“Anyone who is able to save a life but fails to do so violates this Mitzvah.”* (Maimonides)

*“It is not merely permissible for a Jew to bequeath his organs for transplantation following his death, it is a Mitzvah for him to do so, in order to save one life, or several lives.”* (Rabbi David Golinkin, Law Committee Chairman, Rabbinical Assembly of Israel; Dean, Seminary of Jewish Studies, Jerusalem)

*“The overriding principles of honoring the dead (K’vod ha-Met) and saving lives (Pikuah Nefesh) work in tandem. That is, saving a person’s life is so sacred a value in Judaism that if a person’s organ can be used to save someone else’s life, it is actually an honor to the deceased.”* (Rabbi Elliot N. Dorff, Rector, University of Judaism)

*“The preservation of human life is obligatory, not optional. Since all conflicting halakhic duties are suspended and human lives are at stake. . . consent must be granted for post-mortem organ donation when requested by doctors or hospitals for use in lifesaving transplantation procedures. . . . This applies to the individual in anticipation of his or her own death, as well as to health care proxies or next of kin whenever they are legally empowered to make such decisions on behalf of the deceased.”* (Rabbi Joseph H. Prouser, “The Obligation to Preserve Life and the Question of Post-Mortem Organ Donation,” Responsum adopted by the Rabbinical Assembly Committee on Jewish Law and Standards)

***The Donor Card***

Please detach and give this portion of the card to your family. You may wish to provide copies of this document to various family members:

“This is to inform you that I want to be an organ and tissue donor if the occasion ever arises. Please see that my wishes are carried out by informing attending medical personnel that I am a donor. In so doing, you will be acting as my partner and agent in the Mitzvah of *Pikuah Nefesh*, saving lives.

“In keeping with the Jewish belief that the human body is God’s creation, and is thus to be accorded sanctity even after death, please see that all appropriate steps are taken on my behalf to maintain *K’vod ha-Met* (honor to the deceased). As soon as needed organs or tissues are retrieved in accordance with my instructions, see that the rest of my remains are buried in a Jewish cemetery, in accordance with Jewish law and custom.”

Thank you.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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 In keeping with the moral and religious teaching of Jewish law, and in an effort to help others, I hereby make this anatomical gift, if medically acceptable, to take effect upon my death. FOR PURPOSES OF TRANSPLANTATION ONLY, I donate:

- \_\_\_\_\_ a) Any needed organs or tissues
- \_\_\_\_\_ b) Only the following organs or tissues: \_\_\_\_\_

Limitations or special wishes, if any: \_\_\_\_\_

Signature of donor: \_\_\_\_\_ Birthdate: \_\_\_\_\_

City and State where signed: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

*Must be signed by donor and two witnesses in the presence of each other.*