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## Israel Medical Association says proposal before Knesset would encourage organ-trafficking

By [Ran Reznick](#)

The Israel Medical Association is vehemently opposed to a bill that would enable certain organ donors to be reimbursed for their expenses by the state. According to the IMA, the bill would open the door to organ sales.

The proposal, sponsored by the Health Ministry, is part of a broader bill intended to regulate organ donations that is currently under discussion in the Knesset. Tomorrow, a subcommittee of the Knesset's Labor, Welfare and Health Committee will hold its final session on the bill.

Under the bill, people who donate a kidney or a liver lobe -- regardless of whether they donate to a relative or a stranger -- would receive a fixed sum of NIS 17,000-18,000 from the state to cover the costs of "activities connected with removing the organ." In addition, they would receive variable compensation for loss of income and higher health insurance premiums. The ceiling on this compensation would be set by the health and finance ministers, with the Knesset's approval.

The subcommittee is also discussing several alternatives to the Health Ministry proposal. One, sponsored by MKs Shelly Yachimovich (Labor) and Zahava Gal-On (Meretz), would reimburse donors only for medical treatments for health problems arising from the donation. Under this bill, only people who donate to relatives would be compensated for missed work days.

Another bill, initiated by MK Avraham Ravitz (United Torah Judaism), would grant donors far more extensive benefits than the Health Ministry's bill would. The ministry claims that these benefits, which include a monthly stipend, tax breaks and university scholarships, could total tens or even hundreds of thousands of shekels per donor. It also warns that such payments could be viewed as encouraging people to sell their organs, which could lead to Israel's expulsion from the World Health Organization.

But Prof. Avinoam Reches, head of the IMA's ethics office, charged that even the ministry's proposal could be viewed as encouraging organ sales.

"To the best of my knowledge, Israel would be the first country to enable its citizens to legally be paid for donating organs," he said. "Ostensibly, the donor would only receive 'reimbursement for expenses,' at the state's expense, but that would open a door to additional, under-the-table arrangements between the donor and the recipient ... This is a gateway to organ trafficking under the state's auspices."

Reches said that the IMA therefore backs the Yachimovich-Gal-On bill, since reimbursement solely for health damage would not encourage organ sales.

He also argued that the ministry proposal is unlikely to significantly increase organ donations, since even with state reimbursement, very few people are willing to donate an organ to a stranger.

But Meir Broder, of the Health Ministry's legal office, retorted that several Western countries, including England, France, Spain and the United States, permit donors to be reimbursed for expenses. All of these countries forbid organ sales, but see reimbursement as a way of encouraging donations, he said.

Yair Ettinger adds:

Ashkenazi Chief Rabbi Yona Metzger said last week that the chances of a breakthrough in the rabbinate's longstanding negotiations with the medical profession over organ donations are "negligible." But Rabbi Yigal Shafran, who is the rabbinate's representative in these talks, told Haaretz yesterday that he believes a new proposal by MK Otniel Schneller (Kadima) could lead to "significant progress" in the discussions.

While most rabbis agree that it is permissible to take organs from a dead person to save another person's life, many rabbis believe that death only occurs when the heart stops, whereas the medical profession determine death by brain death. As a result, many rabbis currently forbid their followers from agreeing to become organ donors, for fear that their organs will be harvested while, halakhically speaking, they are still alive.

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