

New Law Will Require NJ Drivers to Make Organ Donation Decision



July 22, 2008



Beginning in five years, New Jersey drivers will have to choose whether to become registered organ donors as a condition of obtaining or renewing their license under a measure Acting Governor Richard J. Codey signed into law today.

The law, known as the NJ Hero Act, also makes New Jersey the first state to incorporate mandatory organ donation education into the high school core curriculum, beginning with the 2009-10 school year.

The law will require that in five years, drivers seeking a license would either agree to make their organs available for transplantation after their death, or if they decline, review information about the importance of

organ donation.

(Source: Star Ledger)

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1. whats the problem here? all they are doing is asking people to become donors they are not forcing you to become a donor if you want to drive

Comment by destro613 — July 22, 2008 @ 4:34 pm

2. I hope there is no major objection from the jewish community. This is purely an optional question, no one is being forced to be a donor. Each person can make their own decision about whether they want to be a donor or not.

Comment by yossi — July 22, 2008 @ 5:23 pm

3. "...NJ Hero Act..."

TYPICAL LIBERAL-ATHEIST ORWELLIAN LANGUAGE TO DESCRIBE THE DESECRATION OF THE DEAD.

Liberal-atheists assume that once someone dies, that's it.—What does he need his body for. Let someone else slvage the body parts.

This law is almost compulsory, since it stigmatizes those who don't donate as selfish "non-heros."

Mark my words, it will soon be changed to fully compulsory. This is the classic "slice-the-salami" technique.

Comment by deepthinker — July 22, 2008 @ 5:33 pm

4. who said anything about a problem? it's just an important tidbit of info for the many NJ drivers who read this site.

Comment by mirbochur — July 22, 2008 @ 5:34 pm

5. I am very concerned about this law. I don't like the part about teaching it in schools or mandating that one be forced to read the propaganda the state says you have to read when you say no.

The govt should not get involved in education of our children. I don't think this should be forced upon private schools.

This is a religious issue to many people and if we decline on religious grounds I hope the DMV doesn't try & force it down our throats.

I am sure this law will be challenged in Court.

Comment by mark levin — July 22, 2008 @ 6:30 pm

6. What is the problem? It is halachly permissable to both donate and recieve organs

Comment by lesschumras — July 23, 2008 @ 9:53 am

7. to Deepthinker: please see below. It's not as black and white as you portray

from Aish.com Website

by Rabbi Shraga Simmons Saving a life is paramount in Jewish law, but organ donation is much more complex than signing a donor card.

The Jewish position on organ donation is as complex as the issue of life and death, because it derives directly from the Jewish perspective on the sanctity of life and the role that our physical existence plays in the advancement of our spiritual selves.

On the one hand, we have a sacred obligation to preserve human life (pikuah nefesh). This is an overriding principle in Jewish law — so important that almost any other law can be broken for this reason. For example, we can break Shabbat to drive an injured person to the hospital.

We can break Shabbat to drive to the hospital; we can eat pork if we are starving in the desert.

On the other hand, Jewish law prohibits desecration of a dead body (nivul hamet). A dead person's body, since it once housed the holy soul, is to be treated with the utmost respect. Every part of the body must be buried — which is why you see the heart-wrenching images of religious Jews dutifully going around after a terrorist bombing, scraping up pieces of flesh and blood for burial.

How do we resolve these two principles?

TO SAVE A LIFE

Organ donation is permitted in the case when an organ is needed for a specific, immediate transplant.

In such a case, it is a great mitzvah for a Jew to donate organs to save another person's life.

Organ donation is not necessarily limited to dead people: Someone who can afford to spare a kidney, for example, may donate one to someone in need.

It is forbidden to simply donate to an "organ bank," where there is no specific, immediate recipient.

Yet in consideration of the prohibition against desecrating the body, it is forbidden to simply donate to an "organ bank," where there is no specific, immediate recipient.

Furthermore, it is also forbidden to donate for general medical research or for students to dismember in medical school.

CAUTION NEEDED

Even when there is a specific, immediate transplant, there is need for caution, because oftentimes in order to obtain organs as fresh as possible, a doctor will remove the organ before the patient is actually "dead" according to Jewish law.

The doctor is therefore effectively killing the patient, which is, of course, forbidden.

The bottom line is that each case is different. A myriad of considerations in halacha must be reviewed. So before going ahead with any procedure, consult with a rabbi well-versed in Talmud and Jewish law. It is clearly not as simple as blankly signing an organ donation card.

Sources:

Rabbi Yechezkel Landau - Noda BeYehudah II, Yoreh Deah 210

Rabbi Moshe Feinstein - Igrot Moshe, Yoreh Deah II, 174

Dayan Weiss - Minchat Yitzchak V, 7

Rabbi Eliezer Waldenberg - Tzitz Eliezer X, 25

Further information:

Institute for Jewish Medical Ethics in San Francisco (800-258-4427)

"Judaism and Healing" by Rabbi J. David Bleich (Ktav Publishing 1981)

Comment by lesschumras — July 23, 2008 @ 10:03 am

8. Dear lesschumras:

The NJ law does not meet the Halachic tests in the Aish article.

Comment by deepthinker — July 23, 2008 @ 10:20 am

9. lesschumras —

You contradict yourself between comments #'s 6 and 7.

(First you state "It is halachically permissible to donate" then state "it's not black and white.")

Comment by Joseph — July 23, 2008 @ 10:22 am

10. To Joseph,

I was not contradicting myself. As opposed to deepthinker, who categorically labeled ALL transplants as

"TYPICAL LIBERAL-ATHEIST ORWELLIAN LANGUAGE TO DESCRIBE THE DESECRATION OF THE DEAD.

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transplants are halachacly permissible. My second posting simply clarified under what circumstances.

As other people have noted, why is it necessary for a person like deepthinker to get personal and label (and scream with capital letters) anyone who they disagree with. Just because he feels that any transplant is a desecration doesn't mean poskim and people who disagree are liberal-atheists. Was Rav Moshe a liberal-atheist?

Comment by lesschumras — July 23, 2008 @ 12:37 pm

11. My liver transplant was done more than four years ago. Learning, dovening and tzedaka were all the reult of it. By allowing someoe to die, do some people think that is greater??!!

Livers are viable organs for up to 16 hours after someone passed away and do not have to be snatched from a living person.

Comment by Avrohom Abba — July 23, 2008 @ 1:16 pm

12. lesschumras —

How is 6 & 7 not a contradiction with each other?

Comment by Joseph — July 23, 2008 @ 4:37 pm

13. #6 was unequivocal

Comment by Joseph — July 23, 2008 @ 5:03 pm

14. lesschumras -

Per your source:

*"It is forbidden to simply donate to an "organ bank," where there is no **specific**, immediate recipient."*

The above law is regarding organ banks. (And additionally, the "specific, immediate recipient" would need to be from klal yisroel. The organ banks don't allow such specification.)

Comment by Joseph — July 23, 2008 @ 6:42 pm

15. Joseph,

I can't explain it any better. We just have to agree to disagree. By the way, I don't believe I ever saw a reply as to why you've never decried the two Satmar brothers slinging mud on each other and Yiddishkeit in the civil courts. Why are they any different from the man who wrote the letter to the newspaper regarding the library?

Comment by lesschumras — July 23, 2008 @ 7:06 pm

16. lesschumras, How can I decry something I am unaware of? Was there a YW story on this "slinging" you refer to? Apparently I am not privy to all the juicy loshan hora you are up to date with.

Comment by Joseph — July 23, 2008 @ 10:09 pm

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