

Organ Donation to Get Halachic Approval By Chief Rabbinate; Standards Differ With Psak of Rav Elyashiv

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The Israeli Chief Rabbinate is currently in the midst of resolving halachic quandaries surrounding organ donation, Yediot Achronot reported Thursday. The debate was sparked following the approval of the Organ Donation Law in 2008: The law specifies brain death criteria, as well as the exact medical methods and instruments which must be used to determine brain and respiratory death; but many in the religious community still feel it fails to answer pivotal halachic questions.

In order to encourage organ donation among the religious public, the rabbinate decided to introduce a new organ donor card - different from the National Transplant and Organ Donations Center (ADI) card - which will stipulate that the potential donor's organs can be harvested only if and after brain death is determined according to the strictest letter of the law.

Ashkenazi Chief Rabbi of Israel Rav Yona Metzger also wants the Chief Rabbinate's Council to issue an official decree giving the law a halachic seal of approval.

The rabbinate will hold a special seminar on organ donation, meant to allow the 40 rabbonim attending it to eventually be able to see families through the process.

Rav Shlomo Amar

The rabbonim will be trained to offer the families answers to any medical or halachic questions they may have.

"The council approved organ donation 20 years ago, providing that the state of brain death was determined not only by a physician, but by electronic equipment as well, but the medical community never agreed to that stipulation," a source in the Chief Rabbinate told Yediot Achronot.

"The new legal criteria seemingly took care of that and now the rabbinate is in the process of giving it a halachic seal of approval."

While some in the chareidi, religious-Zionist, and Sephardic communities, including Chief Sephardic Rabbi Rav Shlomo Amar, feel that brain death is an indication of death-proper, other leading *rabbonim* and *poskim*, including the *posek hador*, Rav Yosef Shalom Elyashiv *shlit"a*, oppose the correlation and maintain that cardiac death should be the only criteria used.

{Ynet/Yair Alpert-Matzav.com Newscenter}

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