

A Unique Donation

You don't have to be rich to give the gift of life

By **RABBI MENAHEM MEIER**

I would like to discuss a unique donation—one that rich and poor, men and women, young and old can make.

Before I proceed, I want to open

GIVING

with the following bracha: I pray that the Almighty should grant you, your children and your grandchildren a long, healthy and rewarding life until 120 years!

My topic is the great life-giving mitzvah of organ donation. Medical technology now has the capacity to harvest even vital organs and transplant them to recipients whose lives depend on them. If, God forbid, we are in need of an organ, our family will leave no stone unturned in an effort to obtain such a life extender.

The problem is very serious today, as the number of Americans waiting for an organ is approximately 80,000, up sharply from only the past decade. Approximately 50,000 of those waiting are in need of a kidney. Those who need

an organ far exceed the number of organs currently available.

It is a great mitzvah for a Jew to donate an organ for an immediate transplant that will save a human life, if the donation is made in consonance with halacha, or Jewish law. The religious obligation of saving a human life overrides the halachic prohibition of desecrating a human body.

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The most problematic halachic concern relates to the definition of death. Under Jewish law, one may harvest a vital organ only after the donor is dead; to do so before death would constitute murder.

For medical reasons, however, the organ must be harvested while it is still viable, or able to function. Hence, brain stem death is important for organ donations. Most organs are harvested from patients di-

agnosed with brain stem death.

The brain stem is the part of the brain that controls breathing. If it no longer functions and the patient stops breathing on his or her own, the heart will stop beating within minutes for lack of oxygen.

If the patient is immediately attached to a respirator, the machine artificially "breathes" for the person for another few days. But no one

has ever "woken up" from brain stem death.

How does halacha view brain stem death?

Some respected authorities, such as the Chief Rabbinate of Israel (Marcheshvan 5747) and Rabbi Moshe David Tendler have ruled that brain stem death is halachic death. Others, such as Rabbi Yosef Shalom Elyashiv, have ruled that a person is not dead until all vital or-

gans, including the heart, have shut down.

But even under Elyashiv's ruling, many can still donate their kidneys, as it is possible to harvest viable kidneys up to 40 minutes after the heart has stopped beating.

Several years ago, the Halachic Organ Donor Society, came into being to call the attention of the Jewish world to the great mitzvah of organ donation. It provides literature on the subject, together with a halachic organ donor card for individuals to carry on their person. Unlike the organ donation authorization on the driver's license, the HODS card will assure the individual that halacha will be honored.

Representatives from the organization are available to speak to groups or synagogues on the topic. HODS can be reached at (212) 213-5087 or visited on the Web at www.HODS.org. Its motto is, "Make your last mitzvah your most important one."

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