

# Recording the Wish to become an Organ Donor in One's Will

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A very common question heard by Solicitors, Doctors, Organ Donation Coordinators and Medical Professionals around Australia is:

*“Can I put in my will that I want to be an organ donor?”*

Stating the desire that a person wants to be an organ donor in their will does not ensure their organs will be donated to someone in the event of their death. Wills are read after the person has died and most often, after their funeral service. By this time it is too late for organs to be taken and transplanted into a recipient. This is not only a waste of good paper, ink and the solicitor and client's time, but could be a waste of perfectly healthy and viable organs and an altruistic act that can bring peace to an individual and or their family.

There are only two ways a person can make sure they have the opportunity to donate their organs in the event they die in such a way that it is an option. Firstly, discuss it with your family while you are healthy and well or planning your 'living will'. You may be unconscious and unable to discuss it when the time comes. Secondly, make a phone call or go on-line to formally register your wishes through the Australian Organ Donor Register.

In most cases people never become organ donors even when they sign up on the Organ Donor Register, as they live a long, normal and healthy

life. Very few deaths occur in such a way that the person is suitable as an organ donor. However, when a person becomes 'brain dead', (generally as a result of a severe brain injury, a brain haemorrhage or stroke), whilst on a ventilator in an Intensive Care Unit, and there is consent from them or their family, they can become an organ donor.

A person can donate different organs, including the heart, lungs, kidneys, liver, pancreas and intestines. They can also donate certain body tissues, such as corneas, skin, heart valves, bone and pancreas islet cells. Tissue donation may occur when someone has died of natural circumstances or cancer or without being in hospital, as tissues can be donated up to 12 hours after death. Many more people are suitable for tissue donation than for organ donation.

DonateLife™ is the National Organ and Tissue Donation Agency. We are promoting the view that everyone gives thought to their wishes in regard to Organ Donation.

In pursuit of this ideal we encourage everyone to:

- DISCOVER the facts about Organ Donation – refer to the website [www.donatelife.gov.au](http://www.donatelife.gov.au)
- DECIDE if you want to be an Organ Donor

- DISCUSS your decision with your family, as it is your closest next of kin who will be asked about your wishes if you are ever in the situation where you may become a donor.

People may also:

- Register their wishes on the Australian Organ Donor Register, call 1800 777 203, or at any Medicare office.

I would like to provide solicitors with some information brochures to give directly to people who make this type of enquiry or to display in your waiting area so they are available for interested people to read.

Equally, you could possibly, order the forms from Medicare and have them there available for the next enquiry. I don't know if there is any ethical issue in that, but you and your associates would know that answer.

You may also be interested in looking at the DonateLife™ website [www.donatelife.gov.au](http://www.donatelife.gov.au) where you will find general information, and information for professionals.

Thank you for your time and attention to this issue. I hope you can provide a space so that the DonateLife™ information brochures are made available to the public. If you would like any further information, more brochures in the future, or to arrange an information presentation, please don't hesitate to contact me on 8922 6700. ↓