

Virtual Mentor

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CASE AND COMMENTARY

Can a Minor Be an Organ Donor?

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Case

Amy Watson is a seventeen-year-old freshman at a large state university. During spring break, she and her friends go bungee jumping. A natural risk-taker, Amy has bungee jumped several times before. But this time, Amy's jump turns tragic; she hits her head and sustains a traumatic brain injury. The EMT team is unable to revive her, and she is pronounced dead when admitted to the emergency room. A year before when she turned sixteen and earned her driver's license, Amy had signed an organ donor card. She fervently believed in organ donation and made sure that her parents knew about her wishes when she signed her ID. Following policy on organ procurement, the surgery team has been alerted to remove her organs for transplantation. But the hospital is unsure how to proceed. Amy is a minor. Yet, her age and the fact that she has expressed her wishes to donate her organs on a legal document (her driver's license) make her situation somewhat different from that for which the policy on organ donation among minors was promulgated. Amy's parents are currently traveling throughout Southeast Asia and cannot be reached. Amy's only adult relative of age is an older brother who has no problems with organ donation in general, but feels ambivalent about his younger sister "being cut up" for donation purposes.

Questions for Discussion

1. As a minor, may Amy consent to have her organs removed upon her death?
2. If her parents are not available, may her adult brother refuse consent to have her organs removed?
3. In general, what role should family members play with regard to organ procurement?

References

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