

CHRIS A. RUSNAK

## Should people get paid to donate their organs?

**Buying and selling** a human organ is against the law in the United States and many other countries, but as patients go without necessary transplants and black-market organ sales continue to grow, some medical professionals have begun to favor a legal organ market. Proponents say that paying people to donate organs does not go against current ethical practice in health care and that a legalized and regulated system would help address the large demand for transplants without exploiting the poor. Opponents argue that the practice is unethical because paying for their organs would encourage people to ignore whatever qualms they have about donating them. Moreover, the sale of organs would give an advantage to those with the means to pay for them, so the rich would jump to the front of the waiting list. What do you think?



**Find out more about this topic on the Web:**

- [www.kidney.org/news/newsroom/newsitem.cfm?id=323](http://www.kidney.org/news/newsroom/newsitem.cfm?id=323)
- [www.transplantation-soc.org/policy.php](http://www.transplantation-soc.org/policy.php)
- [www.news.harvard.edu/gazette/2002/03.21/09-organ.html](http://www.news.harvard.edu/gazette/2002/03.21/09-organ.html)
- [http://en.wikipedia.org/wiki/Organ\\_donation#Legislation\\_regarding\\_organ\\_donation](http://en.wikipedia.org/wiki/Organ_donation#Legislation_regarding_organ_donation)

## YES

**from members:**

**Linda Burris**  
La Jolla, CA



With compensation, imagine the huge increase in availability of organs. This could save so many lives. If a loved one was dying, would you care if you had to pay?

**Charles Thurston**  
Aurora, CO



If someone wants to sell their organs, it should be an open market, which our capitalistic system rewards.

**Morris Brown**  
Indianapolis, IN



Since there is a shortage of lifesaving organs, this might expedite saving some lives.

## NO

**from members:**

**Abranette Lopez**  
Chicago, IL



You should not be paid for a choice you should make freely.

**Jerry Worth**  
Wilmer, TX



It is difficult to put a price on the value of an organ. It should be a final gift to mankind.

**Abbas Bagheri**  
Jacksonville, FL



Some people needing money would sell organs to wealthy people. This can put their own health at risk.

### from experts in the field:



**Amy L. Friedman, M.D.**, is an associate professor of surgery at Yale University School of Medicine.

SOLVING THE ORGAN shortage by compensating donors for their “gift(s) of life” is ethically consistent with our current medical and social environment.

Today, patients are already taking advantage of a thriving black market in other countries to locate and pay a living person for his or her precious kidney. Can we blame patients for desperately seeking to avoid the fate of many of the waiting 70,000 people who will die before having a transplant? Neither donors nor recipients in these covert situations receive care equivalent to that provided in legitimate centers; poorer outcomes and increased risks for both have been documented.

The ethics are no different than in other established practices in our culture. Consider payments for human semen or eggs for fertility procedures, or temporary use of an entire body for clinical experimentation or pregnancy (e.g., surrogate mothers). Who would “volunteer” without compensation?

We capitalists have already accepted that viewing one’s body as a commodity appeals most to the financially needy. After all, financial enticements, such as college education, are used to lure those who are disproportionately disadvantaged to military enlistment and to accept the risk of death. Families are even granted a “death benefit” if that ultimate sacrifice is made. How is donating a kidney to save a life different?

Denial of a tangible benefit to donors is hypocritical since every other involved party enjoys measurable gains, including the recipient (who lives longer), the transplant surgeon and other health-care providers (who are reimbursed), and even taxpayers (Medicare pays the majority of dialysis costs).

To ensure equity and morality, a government agency with multidisciplinary expert guidance should develop medical criteria, select appropriate compensation (including lifelong access to care for the donor), mediate between the parties and provide needed resources (ultimately saving cost).

If this approach still feels unsavory, consider honestly whether your opinion would be different if your own life depended on an unavailable organ. [H]

### from experts in the field:



**Jeffrey Kahn, Ph.D., MPH**, is director and Maas Family Endowed Chair in Bioethics at the Center for Bioethics, University of Minnesota ([www.bioethics.umn.edu](http://www.bioethics.umn.edu)). He is also a professor at the university’s medical school.

WITH A CHRONIC shortage of available organs and patients dying while they wait, why not allow a market for the sale of organs? There are two compelling reasons to object to the sale of organs, whether from living donors or the families of patients who have recently died.

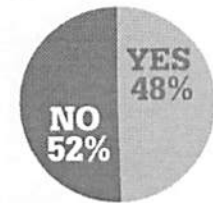
The first one is exploitation; that is, when one person takes advantage of the misfortune of another for his or her own benefit. There are many people in the world who live in settings with limited opportunities to improve their lives, and for whom \$5,000 or \$10,000 offers truly life-changing possibilities. But it is only because of existing social conditions that selling a kidney for what seems to be an impossibly large sum becomes attractive.

Organ donation has always relied on the altruism of donors and their loved ones, with the hope that whatever risk is involved is balanced by the benefit of the good deed of donation. But most people have a price that will encourage them to ignore whatever qualms they have about donating an organ. And that changes the relationship from giving a gift to being paid enough to ignore risk. A market allows this shift, and it is a change we have been and should be loath to accept.

Second, the sale of organs gives an advantage to those with the means to pay for them. Whatever problems exist in the current system of organ allocation in terms of shortages and waiting times, it is at least fair. Rich patients can’t pay to jump to the front of the queue. But that is exactly what would happen (and what does happen on the black market) in the case of a market for organs: Those who can pay the most would get organs first. We may accept such a free-market approach with other commodities—the newest car or the latest electronic gadget—but it is much less defensible to allocate scarce lifesaving medical technology in the same way.

While the existing system of organ donation is far from perfect, it saves thousands of lives every year. It is a system built on a fragile trust that took a long time to develop and needs constant attention. It is a trust that cannot withstand the prospect of classified ads and online auction sites for human organs, alongside antiques, art and sporting goods. [H]

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