Q. Can you tell me about the Human Organ and Tissue Donation Act? What is changing?

- The Human Organ and Tissue Donation Act will make it possible for more Nova Scotians to donate their organs and tissues.
- Currently, if you want to be a donor, you should talk with those closest to you and register to be a donor. Families must sign a consent form at the time of death for donation to take place.
- With the change, people can indicate their wish to be an organ and tissue donor, opt out of donation or not record a donation decision.
- Starting on January 18, 2021, people who do not record a decision and are eligible will be seen as agreeing to be a donor after death. This is called deemed consent.
- Nova Scotians will still have a choice and can opt out if they choose to before the changes take effect or any time after. Anyone can change their decision at any time.

Q. Why is government making this change/putting this new law in place?

- Organ and tissue donation impacts lives and gives hope to those waiting for transplants.
- Nova Scotia has the highest rate of donor registration in the country but our donation rates could be higher. These changes will give patients waiting for a transplant a better chance of getting one sooner by increasing available organs and tissues.
- One donor can impact the lives of more than 80 people.

Q. Who is eligible under deemed consent?

Deemed consent will not apply to:

- People under 19 years of age
- People without decision-making capacity
- People who have lived in Nova Scotia less than 12 months
- RCMP or Military members posted in Nova Scotia
- People who are in prison

Q. If I’m not eligible, does this mean I can’t be an organ and tissue donor?

- No, it doesn’t. There are ways for some people who aren’t eligible under deemed consent to register their wish to be a donor:
  - If you’re 16 or older and are eligible for a NS health card, you can register your decision to be a donor when you apply for or renew your card or anytime by calling MSI at 1-800-563-8880.
  - If you’re 15 or younger, your parent or legal guardian needs to complete the registration for you.
    - Canadian Armed Forces and RCMP members can register a decision to be a donor by filling out a specific form – to request it, call MSI at 1-800-563-8880.
  - If you want to be a donor but aren’t eligible to register that decision, make sure your next of kin knows your wishes as they will be asked to consent on your behalf after death.
Q. I don’t like that government is telling me what to do with my body. Who can I complain to?
• When the law goes into effect on January 18, Nova Scotians will still have a choice and can opt out if they choose to before the changes take effect or any time after.
• To find out more the changes and your choices, visit www.novascotia.ca/organdonation or call MSI at 1-800-563-8880.
• If you still have concerns, you can send an email to: Health.minister@novascotia.ca.

Q. What does proclamation mean? What changes with proclamation of this act?
Proclamation is official notice of when the law will go into effect. In this case, it is proclaiming that the Human Organ and Tissue Donation Act will go into effect on January 18, 2021.

Q. When do the changes take effect?
The changes take effect on January 18. Anyone who decides they want to opt out of donation can do so before the law goes into effect or any time after.

Q. Why is there more than six months before it takes effect?
The time gives people time to learn more about the changes, opt out if they choose to, and talk with their families before the legislation takes effect. It also gives the health system time to put the necessary resources in place so it is clinically ready.

Q. What are the decisions I can make about donation?
• You can:
  o Indicate you want to be an organ and tissue donor
  o Opt out of donation and not be a donor
  o Not register a preference
• You can change a decision you registered at any time.

Q. What happens if I don’t register a decision to be a donor or opt out of donation?
Starting on January 18, if you don’t register a decision and you are eligible, you will be seen as agreeing to be an organ and tissue donor after death.

Q. I don’t want to be an organ and tissue donor. How do I opt out?
You can opt out online at www.novascotia.ca/organissuedonation or by calling call MSI at 1-800-563-8880.

Q. Does my decision to opt out take effect right away?
Your decision will be recorded in the health card registry immediately, and will take effect on January 18, once the legislation comes into effect.

Q. I want my opt-out decision to take effect right now. How can I make sure that happens?
• Your decision to opt out will be recorded in the health card registry immediately but doesn’t take effect until January 18, when the legislation takes effect.
• In the meantime, you should talk with those closest to you to ensure they know you don’t want to donate your organs and tissues after death.
Q. How can I confirm if I have a decision registered and, if so, what it is?
You can call MSI at 1-800-563-8880 to confirm that.

Q. How is my decision shown on the front of my health card?
• Your health card shows if you consent to donate all organs and tissues (DONOR 1) or some organs and tissues (DONOR 2).
• Starting on January 18, cards will also show if you don’t consent to donate organs and tissues (OPT OUT).
• If you opt out, you will receive a new health card in January, after the changes take effect.
• The health card registry keeps a record of your donation decision, including if you didn’t register a decision.

Q. I want to be a donor. Can I still register my wish to be a donor? If so, how?
• Yes. Nova Scotians who want to donate their organs and tissues can indicate that through their health cards.
• You can indicate you want to be a donor when you renew your health card or at any time. To find out how, visit www.novascotia.ca/organtissuedonation or call 1-800-563-8880.

Q. I am already registered as an organ and tissue donor. Do I need to do anything as a result of the new legislation?
• If you want to be a donor, you don’t need to do anything. You can register your decision to be a donor if you want to.
• If you don’t want to be a donor, you need to opt out of donation.
• It’s important talk with those closest with you to make sure they know your decision.

Q. If I change my mind, can I change my decision? If so, how do I do that?
Yes, you can change your decision at any time. To do that, call MSI at 1-800-563-8880.

Q. What happens if I change my mind and talk to my loved ones about it but don’t change it with MSI before I die?
• Families will continue to be consulted about their loved ones’ decisions regarding organ and tissue donation.
• Before any donation and transplantation activities take place, health professionals meet with your family to review your recorded decision and see if they have additional information about your decision, including if you changed your mind.
• If they have information that you made a different decision, and the evidence provided is assessed as being sufficient to show this, then your substitute decision-maker (next of kin) may consent or refuse to consent to donation on your behalf.

Q. What organs and tissue can I donate?
• Organs that can be donated include kidneys, heart, lungs, liver, pancreas, and small bowel.
• Tissues that can be donated include corneas, sclera, skin, heart valves, bone, cartilage, tendons, and ligaments.
Q. Can I have an open casket funeral if I donate tissue?
Yes, you can have an open casket and full funeral if you donate organs or tissue. Tissue recovery is a very respectful procedure.

Q. How can I be sure that doctors will do everything possible to save my life?
Every effort will be made to save your life. Organ and tissue donation is not considered unless lifesaving efforts are not successful.

Q. How can I be sure that my decision is followed?
• Before any donation and transplantation activities take place, health professionals check the registry to see if you registered a decision.
• Health professionals also meet with your family to review your recorded decision and to see if the family has additional information about your decision.

Q. If I do not opt out, is it guaranteed that I will be an organ and tissue donor when I die?
No. Whether the donation takes place depends on many things and clinical factors, including if there’s a match with someone waiting for a transplant.

Q. I’m not sure if my religion supports organ and tissue donation. How can I find out?
If you have questions about how donation affects your religious or spiritual practice, you should speak with your religious or spiritual leader.

Q. What if I want to donate their body to science? How does that work?
• If you are interested in donating your body after death for research and education purposes, you can contact the Human Body Donation Program at Dalhousie University.
• Contact details and information are available at: https://medicine.dal.ca/departments/department-sites/medical-neuroscience/about/donation-program.html.

Q. I’m interested in donating a kidney while I’m alive. How does that work?
• This is called living donation.
• If you are interested in learning more or want to donate a kidney while you’re still alive, you would need to contact the Kidney Transplant Donation Program, which is part of the Multi-Organ Transplant Program at the QEII Health Centre in Halifax. Information is available at https://www.motpatlantic.ca/Home/KidneyTransplantProgram.

Q. I have questions about organ and tissue donation and how it works. Where can I get more information?
• For more information about organ and tissue donation, visit www.legacyoflife.ns.ca or call 1-877-841-3929.
• For more information about the changes, options and how to register a decision, visit www.novascotia.ca/organissuedonation or call MSI at 1-800-563-8880.