

Presidenza del Consiglio dei Ministri



Abstract

OPINION ON THE PRESERVATION OF ANONYMITY OF DONOR AND RECIPIENT IN THE TRANSPLANTATION OF ORGANS

27 September 2018

The National Transplant Centre (NTC) put the following query to the Italian Committee for Bioethics (ICB) regarding: "Whether the anonymity requirement to which the administrative healthcare personnel is legally bound under art. 18, paragraph 2, Law April 1, 1999, n. 91, may be waived by agreement of the parties upon signature by both of informed consent".

The document moves from a procedural description of how the healthcare professionals and administrative personnel of the transplant network in our country adhere to maintaining anonymity, within the context of the various types of donations: the information provided by the national transplant network and the type of communication allowed between the National Transplant Centre and the donor and the donor's family members. Modalities can be diversified without prejudice to traceability which for medical reasons remains an indispensable requirement.

The Committee makes a distinction, within this context, between the time "preceding" transplantation and that "subsequent" to it, which directly involve the donor (or the donor's family) and the recipient. The Committee sets out the different currents of thought in favour of anonymity and those in favour of identification, outlining and reflecting on the topics in a dialectical way, and delineating an intermediate path in the context of possible agreements between the parties.

Within the context of organ donation the ICB deems it to be ethically indispensable to maintain the requirement of equity guaranteed by strictly objective considerations, based on clinical criteria and priority on the waiting list. It considers the current procedure which privileges anonymity to be not only preferable but also an indispensable requirement in the initial phase of organ donation as well as that subsequent to, it if there is no agreement between the parties to have contact.

However, it believes that it is not contrary to the ethical principles that characterise organ donation to allow the possibility for donor and recipient to give their free and informed consent after the transplant to have contact and meet, mediated by health centres or third parties indicated by legislation.

The committee urges for the guarantee of a press blackout in order to avoid exploitation by the media.