

Organ Transport Vehicle Licensure (SB 1161) Rulemaking Advisory Committee

July 27, 2026

9:30 a.m. via Microsoft Teams

RAC MEMBER ATTENDEES

Charles Hodge	ComTrans of Oregon
Chase Merrigan	Trinity Medical Solutions
Jeff Schneider	Nationwide Organ Recovery Transport Alliance (NORA)
Jeffrey Dana	Cascade Locks Ambulance; Paramedic
Katie Harris	Hospice Association of Oregon
Lauren Land	Cascade Life Alliance
Ray Woolridge	Oregon Fire Chiefs Association, EMS Section
Robert McDonald	American Medical Response
Sabrina Riggs	Oregon State Ambulance Association

OHA and State Partners

Colleen Ohogan	ODOT-DMV, Transportation Safety Office
Adam Wagner	OHA-PHD, EMS Program
Mellony Bernal	OHA-PHD, Health Care Regulation & Quality Improvement Section
Rebecca Long	OHA-PHD, EMS Program
Sarah Coley	OHA-PHD, EMS Program

Welcome, Introductions and Meeting Procedures

Mellony Bernal welcomed RAC members and reviewed agenda, meeting procedures and expectations.

- It was noted that the meeting is being recorded and all information shared is a matter of public record and may be disclosed.
- Per OHA policy, members of the public may observe only. Should public members have information they would like to share, they can send information by email to mellony.c.bernal@oha.oregon.gov or to rebecca.j.long@oha.oregon.gov. Any information received will be shared with RAC members and OHA staff.
- Microsoft Teams features such as Chat and Raise Hand features were reviewed and instructions on how to communicate during the RAC were shared.
 - Information about the EMS Program's rules and statutes webpage was shared including where people can find information about new and amended rules, temporary rules, proposed rules, and other relevant information.

Roll call was taken and RAC members and EMS program staff introduced themselves.

Overview and scope

Mellony Bernal shared that the purpose of this Rulemaking Advisory Committee (RAC) is to seek input and suggestions on the adoption of proposed rules under OAR chapter 333-division 256 – licensing of organ transport vehicles – in response to passage of SB 1161 (2025 Oregon Laws, chapter 278.)

The EMS Program is seeking the RAC's input on the proposed revisions, the potential fiscal and economic impact; how the adoption of rules may affect racial equity in Oregon; and whether the rules may have an adverse impact on small businesses.

It was noted that the RAC's input is advisory only and consensus is not necessary. The OHA will consider the RAC's input for possible integration into the final rules. After the RAC has concluded, staff will take into consideration the information shared, consider additional changes to the proposed rules and file a Notice of Proposed Rulemaking with the Secretary of State's Office

Information about where EMS rulemaking activity can be found on the EMS Rules and Statutes webpage was shared – healthoregon.org/ems, under Rulemaking Advisory Committees. It was noted that the meeting agenda and meeting notes will be posted on this site.

The proposed rule filing deadlines were shared, and it was noted that the dates may adjust as needed.

Rule Text Filing Deadlines

September 11, 2026	Deadline to submit rule text and filing forms to PHD Rules Coordinator
September 25, 2026	• PHD Rules Coordinator to file notice of proposed rulemaking with Secretary of State • Notify interested parties about public hearing and how persons may provide oral testimony or submit written comments.
October 1, 2026	Notice appears in Oregon Bulletin
October 15, 2026 (or later)*	Public hearing to be held to seek public comments
October 22, 2026 (or later)*	Public comment period closes
November 12, 2026*	Program to review public comments, consider possible changes to rule and respond to public comments
November 20, 2026*	Final rule text showing changes and responses to public comment due to the PHD Rules Coordinator. PHD Rules Coordinator files permanent rules.
January 1, 2027	Effective Date
* Date(s) may adjust based on when the public hearing is scheduled, receipt of Hearing's Officer report, and length of time needed to review public comment	

Rulemaking Process

M. Bernal provided an overview of the rulemaking process, explaining the steps involved, including the drafting process, convening rulemaking advisory committees (RACs), submitting rules to the Secretary of State's Office, holding a public hearing, responding to public comment, and finalizing rules.

Organ Procurement Organizations and Organ Transport Overview

M. Bernal invited Lauren Land, the Clinical Operations VP for Cascade Life Alliance, to provide an overview of the organ donation, procurement and transport process in Oregon. The following information was shared:

- Cascade Life Alliance (CLA) is one of 55 federally designated nonprofit Organ Procurement Organizations (OPOs)
- The donation service area (DSA) for CLA covers 111,000 square miles including the entire state of Oregon, 4 counties in SW Washington, and 8 counties in SW Idaho
- CLA is one of very few hospital-based OPOs and is based out of Oregon Health and Sciences University. CLA serves 84 donor hospitals and work with all national transplant programs.
- Currently, there are over 105,000 people waiting for a lifesaving organ transplant in the United States.
- Every 8 minutes another person is added to the national transplant waiting list.
- On average, 17 people die every day waiting for an organ.
- Becoming an organ donor is a unique opportunity; it's less than 1% of all deaths nationally that results in conditions needed to become an organ donor.
- One donor can save up to 8 lives through internal organ donation as well as enhancing the lives of up to 125 other people through cornea or tissue donation.
- Role of OPO:
 - Public education
 - Partner with hospitals
 - Respond to referrals
 - Support donor families and obtain authorization
 - Manage clinical care and conduct tests
 - Coordinate organ allocation and offer to transplant centers
 - Recover, preserve and transport of organs
 - Provide ongoing support to donor families
- Role of timely transportation:
 - Once a recipient match is identified, surgeons and staff fly in from accepting transplant centers for organ procurement surgery at the donor hospital
 - After surgical recovery, the clock starts ticking on "cold ischemia time"
 - Organs have limited timeframes for viability, in particular:
 - Heart: 4-6 hours
 - Lungs: 6-8 hours
 - Liver: 8-12 hours

- OPO and transplant centers partner with local transportation companies to ensure safe and expeditious transport of organs for transplant
- Cases that need lights and sirens is only when the organ is outside the body and the clock is ticking on the cold ischemia time (less than 5-10% when lights and sirens are needed.)
- Living patients are not being transported, rather organs for transplant.
- The following video was presented to the RAC which shared real stories of persons affected by organ donation: <https://www.youtube.com/watch?v=AllwYkUpv30>.
 - L. Land noted that Cascade Life Alliance works with EMS partners especially for transporting patients via critical care ground transports. Historically, the only option to transport organs after recovery was through EMS partners but that is not always the best use of EMS resources. Other transportation options are now available.

Review and Discussion of Proposed Organ Transport Vehicle Licensing Administrative Rules

OAR 333-256-0000 Purpose

This rule specifies that the purpose of OAR 333-256-0000 through 0140 is to describe requirements for organ transport vehicle licensure.

Discussion: RAC members had no comments.

OAR 333-256-0005 Definitions

Five definitions have been identified, four of which are prescribed by ORS 682.415. The definition of "these rules" is defined to encompass all of OAR chapter 333, division 256.

Discussion: RAC members had no comments.

OAR 333-256-0010 Application for Organ Transport Vehicle License

This rule provides the effective date of January 1, 2027, whereby an organ transport vehicle cannot operate without a license, nor may a person drive an organ transport vehicle without meeting specific qualifications. Based on the legislation, only an organ procurement organization (OPO) may apply for an organ transport vehicle license, and the rule specifies the application requirements. These requirements include:

- Contact information regarding the OPO applying for the license;
- Contact information for persons or organizations responsible for transport;
- Description of the vehicle including providing the EMS program with a picture;
- Requirement that the vehicle clearly displays the terms "organ transport" or "organ recovery;"
- Minimum liability coverage;
- Primary point of contact;
- Roster of individuals eligible to drive; and

- A copy of the OPO's registration with the OHA's OPO, Tissue Bank and Eye Bank registry.

Staff noted that if an organ transport vehicle were to display the Star-of-Life, the OHA would need documentation that the organization received approval from the National Highway Transportation Safety Administration, as this is federally registered certification mark that cannot be used without express written permission.

An OPO must submit an electronic application along with the associated fee for each vehicle to be used to transport an organ for transplant purposes.

Discussion:

- Colleen Ohogan with the Department of Transportation asked where the minimum requirements for liability coverage for an organ transport vehicle were codified. M. Bernal responded that the liability insurance requirements for an organ transport vehicle are codified under [ORS 682.415\(2\)\(c\)](#). C. Ohogan further questioned whether these insurance requirements were the same as the public and M. Bernal indicated she believed the requirements were different and would investigate further. **Follow-up: Pursuant to the Oregon Driver and Motor Vehicle Services (<https://www.oregon.gov/odot/dmv/pages/driverid/insurance.aspx>), the minimum insurance a driver must have is:**
 - **Bodily injury and property damage liability**
 - \$25,000 per person;
 - \$50,000 per crash for bodily injury to others; and
 - \$20,000 per crash for damage to others' property.
 - **Personal injury protection**
 - \$15,000 per person.
 - **Uninsured motorist**
 - \$25,000 per person; and
 - \$50,000 per crash for bodily injury.

This is significantly different than the requirements for an organ transport vehicle.

- RAC member inquired whether an ambulance will be subject to the same requirements as an organ transport vehicle. M. Bernal responded that based on the intent of the legislation, a licensed ambulance vehicle will not be subject to licensure as an organ transport vehicle. Rebecca Long further noted that the intent of the legislation was not to require an ambulance vehicle to be licensed as an organ transport vehicle as they are already licensed and are allowed to operate with lights and sirens. There is no need to issue two separate licenses for an ambulance vehicle. Ambulance vehicles will continue to be subject to OAR chapter 333, division 255.
- RAC member inquired via Chat how many vehicles the EMS program expects to license, and what is the plan if the number of calls is over the number of licensed transports. M. Bernal shared that the program has estimated between 6-12 vehicles would be licensed.

L. Land indicated that should the need for transports exceed the number of licensed organ transport vehicles, then the OPO would reach out to ambulance service agencies.

- L. Land asked whether the licensure of vehicles was only for vehicles utilizing lights and sirens, and not for a vehicle transporting an organ for purposes such as research or education. M. Bernal indicated she would investigate further and noted that she believed the law was specific to organs being transported for transplant purposes. L. Land further noted that when transporting kidneys, the cold ischemia time is a longer window and, in those situations, transport would not be utilizing lights and sirens. **Follow-up: Pursuant to the legislation and ORS 682.025(9), an organ transport vehicle is defined as "any motor vehicle operated or contracted by an organ procurement organization for the emergency transportation of body parts intended to be transplanted." It is therefore OHA's understanding that a vehicle used to transport a body part(s) for purposes of transplant, regardless of if using lights or sirens, must obtain an organ transport vehicle license.**
- RAC member asked via Chat whether blood was excluded from this requirement. M. Bernal responded yes, blood is excluded.

OAR 333-256-0020 Review of Organ Transport Vehicle License Application

This rule identifies that the OHA will review and may reject an application and provides eligibility requirements for licensure including a complete application; fee; registration with the OHA as an OPO; compliance with [42 CFR 486, subpart G](#); registered with the Secretary of State's business registry; proof of insurance requirements; and demonstrating the vehicle is marked in accordance with OAR 333-256-0010.

Discussion: RAC members had no comments.

OAR 333-256-0030 Approval of Organ Transport Vehicle License Application

This rule describes the approval process and requirement that the OPO display organ transport vehicle licenses in the main business office and vehicles must also have a copy of the license. Licenses will be issued only to the OPO. The OHA may deny, suspend, or revoke a license. An OPO must ensure that the vehicles and the drivers continue to comply with requirements and qualifications.

Discussion: RAC members had no comments.

OAR 333-256-0040 Expiration and Renewal of License

This rule specifies that a license is valid for one year, from January 1 through December 31. An OPO must submit a renewal application at least 30 days prior to expiration.

Discussion: RAC members had no comments.

OAR 333-256-0050 Return or Surrender of License

This rule identifies that if an OPO discontinues operations or terminates an agreement or contract with a transport organization then the OPO must notify the OHA a minimum of 30 days

ahead of time. Within 10 days after ceasing operations, the OPO must acknowledge that all applicable licenses have been removed and destroyed.

Discussion: RAC members had no comments.

OAR 333-256-0060 Fees

Fees are specified in this rule in the amount of \$300 for each initial license for each transport vehicle and \$200 to renew a license. The license fees are non-refundable.

Staff noted that fees are established considering staff time to develop rules, staff time to review applications, adding the new license type to the existing licensing database, and costs related to the Department of Justice review of rules and possible enforcement measures. Staff further noted that the fees identified will not cover all costs and an additional funding source will need to be identified to supplement the licensing of these vehicles.

Discussion: RAC members had no comments.

OAR 333-256-0070 Licensee Requirements

The requirements specified in this rule are based primarily on the legislation that passed. The OPO must implement written policies that ensure compliance with the rules including that drivers must meet specified qualification requirements; a policy to ensure that personnel records have written verification that drivers have a certified copy of the individual's driving record; a policy to ensure vehicles are maintained in safe working order and comply with Oregon Department of Transportation rules and regulations; a policy to ensure compliance with federal regulations; and a policy for reporting any collisions involving the transport vehicle with 10 business days to the OHA. The OPO must maintain current contact information with the OHA and report any changes to the information in the application within 10 days of the change.

Discussion:

- RAC member inquired who is responsible for developing the policies – the OPO or the transport company? M. Bernal responded that it is the responsibility of the OPO to ensure that the forementioned policies are in place. An OPO, for example, when entering into an agreement or contract with a transport agency may identify in the contract what policy requirements must be in place. The transport agency may have the policy, but the OPO must ensure that the policies meet the requirements in the rule. It was further noted that the OHA must be given access to the policies upon request.

OAR 333-256-0080 Organ Transport Vehicle Driver Qualifications

This rule identifies the minimum requirements necessary for a person to be eligible to drive an organ transport vehicle which is based on SB 1161 and includes: minimum age of 25 years; must have a valid driver's license; be a current, former, or retired police officer, fire fighter, or EMS provider; have at least five years of experience operating a police, fire, or ambulance vehicle under emergency conditions; have no more than one traffic offense that was committed while driving a motor vehicle in any three year period, excluding parking tickets; and must have completed an emergency vehicle operator's course within the last four years. The OPO must

ensure that there is a personnel file for each driver and documentation that the driver meets the qualifications specified.

Discussion:

- C. Ohogan expressed concern that the definition of traffic offense conflicts with the rule specifying that a driver may not have more than one traffic offense. She noted that traffic offense is defined to include "any violation" which conflicts with specifying more than one. M. Bernal responded that pursuant to the legislation, traffic offense is defined to include any violation of a 'traffic ordinance...' or any violation of law for which a criminal or traffic violation penalty is provided in the vehicle code (reference [ORS 801.555](#)). However, the legislation further clarifies that the individual, to qualify to drive, "may not have more than one traffic offense that was committed while driving a motor vehicle, not including parking violations, in any three-year period" [reference [ORS 682.415\(3\)\(e\)](#).]
- RAC member inquired why the qualifications to drive an organ transport vehicle (age and experience) are higher for transporting an organ versus transporting a human being. Another RAC member noted that the legislation was modeled after the State of Washington which has the same requirement. It was suggested that perhaps a carve out that persons qualified to drive an ambulance should be allowed to drive an organ transport vehicle should be considered. Staff noted that any change to the qualification requirements would have to go back to the legislature to amend. The OHA is unable to make exceptions in rule without having statutory authority.

OAR 333-256-0090 Investigations

This rule describes that the OHA may investigate and inspect an organ transport vehicle prior to licensure or at any time while the vehicle is licensed. The OHA may also require the OPO to participate in an investigation and provide necessary records for the investigation.

Discussion: RAC members had no comments.

OAR 333-256-0100 Violations

This rule identifies a list of possible violations including non-compliance with the administrative rules; omit or misrepresent information on an application; refuse or fail to pay a civil penalty; fail to permit staff access to vehicles to verify compliance or fail to cooperate with an investigation; permit an individual to drive who is not qualified; fail to ensure a vehicle is in safe working order or fails to comply with ORS 820 and applicable rules; fail to ensure individuals driving comply with ORS 820 and applicable rules; fail to ensure organ preparation and transport in accordance with federal regulations; fail to report a traffic collision within the time frame specified; or fail to comply with an order issued by the OHA. The rule also specifies that it is a violation for a driver to omit or misrepresent facts in response to an OHA inquiry or investigation or fail to comply with an order issued by the OHA.

Discussion: RAC members had no comments.

OAR 333-256-0110 Enforcement

This last rule describes enforcement measures that can be taken by the OHA including denying, suspending or revoking a license and issuing civil penalties.

Discussion: RAC members had no comments.

Statement of Need, Fiscal, and Equity Impact Statement

M. Bernal reviewed the Statement of Need, Fiscal and Equity Impact statements with the RAC.

- The need for the rule is in response to passage of SB 1161 (2025 Oregon Laws, chapter 278.)
- The documents relied upon include ORS chapters 682, 815, 820 and 42 CFR 486, subpart G.
- Research articles were referenced including data on possible impact to persons of color and persons with lower incomes who live in rural Oregon.
- The estimates for costs relating to liability coverage were shared and it was noted that these coverages are likely already in place by transporting companies.
- It was noted that staff time may be necessary to implement required policies, but it is assumed that policies are likely already in place and only minor changes may be necessary.
- The proposed fees were described and staff noted that the OHA is estimating no more than 12 licenses will be issued. Based on current cost estimates and the small number of licenses anticipated, the fee levels would be disproportionately high and as such the OHA will need to supplement the cost of licensing through another funding source. It was further noted that the proposed fees must be approved by the Oregon Department of Administrative Services (DAS). Should DAS not approve the fees, the fees may need to be revised, and staff will notify RAC members.
 - RAC member clarified that NORA has 5 vehicles operating in Oregon and their fleet nationwide complies with the insurance requirements already.
 - RAC member asked who identifies the additional funding sources that may be used. Staff responded that program managers within EMS would review and consider what funding source may be used to supplement.
- Small businesses are not impacted by these rules as the OPO is the licensee and operate as a non-profit.

Next Steps

M. Bernal re-reviewed the rule text filing deadline dates (reference page 2). She asked that any final comments or suggested revisions be submitted no later than August 14, 2026. It was further noted that it may be possible to move up the time frame by one month if there are not a lot of suggested comments – for example, instead of posting in the October 1 Oregon Bulletin and holding a public hearing on or after October 15th, those dates could potentially change to September 1 and on or after September 15th.

RAC members will be kept informed about any comments received and any proposed changes to rules including the public hearing date and written public comment deadline.

After the public hearing and written comment deadline, staff will receive a "Public Hearing's Officer Report" summarizing any public comments. The program will respond to the comments received in the report and the report will be shared with RAC members including any final proposed changes to rules.

Permanent rules will then be filed, and the rules will be effective January 1, 2027, in accordance with SB 1161.

M. Bernal thanked RAC members for their participation and expressed appreciation for the presentation provided by Lauren with Cascade Life Alliance.

Meeting adjourned at 11:15 a.m.