

**2020-21**

**Trillium Gift of Life Network**



Trillium  
Gift of Life  
Network

**TOOLKIT FOR LEGAL PROFESSIONALS**



1 organ donor can save up to 8 lives.

beadonor.ca

Dear Will & Estate Planning & Health Care Lawyer:

**Re: Organ and Tissue Donor Registration**

We are writing to request your assistance to help save more lives by including organ and tissue donor registration in your discussion with clients on will and estate planning or health care related issues. Trillium Gift of Life Network (TGLN), the Ontario government agency for organ and tissue donation and transplant, in partnership with Hull & Hull, LLP has developed a toolkit specifically for legal professionals.

Today, over 1,600 people are waiting for a life-saving transplant. Sadly, every three days one person will die while waiting. One donor can save up to eight lives through organ donation and enhance as many as 75 others through tissue donation. While many Ontarians believe that donor registration is important, over 33% have registered their consent. Imagine the impact that the legal profession can make by sharing and offering the opportunity to register consent for organ and tissue donation to their clients. Donor registration is easy to do and takes two minutes online at [www.beadonor.ca](http://www.beadonor.ca).

Organ and tissue donor registration facilitates a person's decision about an important end of life issue – donation of organs and tissue after death. Although organ and tissue donation is not top of mind for most people, as lawyers and as part of will and estate planning you have the opportunity to bring this important and relevant issue to the attention of your clients. Donor registration also removes the burden from families to make the choice about organ and tissue donation for their loved one after their death.

The toolkit includes a template letter to use with clients, and backgrounder that includes quick facts about donation, answers frequently asked questions and dispels common myths and misconceptions. TGLN also has a variety of information materials available for public distribution including brochures and beadonor.ca business cards, which can be obtained upon request.

Please contact Shilpa Sharma from TGLN by email at [SSharma@giftoflife.on.ca](mailto:SSharma@giftoflife.on.ca) or by phone at 416-216-5925 to receive additional materials, or for more information. We welcome the opportunity to work with you to inform and educate your clients on this important end of life decision.

Thank you in advance for your consideration.

Sincerely,

Ronnie Gavsie  
President and CEO  
Trillium Gift of Life Network

Ian M. Hull  
Co-Founder  
Hull & Hull LLP



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**DRAFT Letter from Lawyer to Client re: Organ and Tissue Donor Registration**

Dear **CLIENT**:

**Re: Organ and Tissue Donor Registration**

You are making many important decisions regarding your **WILL/ESTATE**. Now, I would like to ensure you consider one more opportunity you may not have already thought about – registering your consent to be an organ and tissue donor. My role, as your **adviser**, is to provide you with the appropriate information and resources to help make this decision.

Today, in Ontario, nearly 1,600 people are waiting for a life-saving transplant. Sadly, every three days one person will die while waiting. One donor can save up to eight lives through organ donation and enhance as many as 75 others through tissue donation. Imagine the life saving difference you could potentially make by registering your consent to be an organ and tissue donor, which only takes two minutes at [www.beadonor.ca](http://www.beadonor.ca).

Many people mistakenly believe that their advanced age or medical history makes them ineligible to be an organ or tissue donor. The physical and medical condition at the time of death will determine which organs and tissue can be donated. Anyone 16 years of age and older, regardless of their medical condition, is encouraged to register their consent for organ and tissue donation in Ontario.

By registering your consent, you relieve your family of the burden of making a decision about organ and tissue donation on your behalf. Organ donation can also provide comfort to grieving families in knowing that their loved ones' legacy lives on. I strongly encourage you to discuss your decision about organ and tissue donation with your family.

I can also tell you that registering your consent has no impact on life-saving medical care you receive in the hospital. Your registered donation decision is stored in a confidential Ministry of Health and Long-Term Care database and is only disclosed at end of life to your family for the purposes of honouring your decision. Organ and tissue donation has no financial impact on your family or estate and donation does not impact funeral arrangements. Also, you can withdraw or change your donor registration at any time.

To register your consent, or to check your registration status in Ontario visit [www.beadonor.ca](http://www.beadonor.ca). To learn more information about organ and tissue donation visit [www.giftoflife.on.ca](http://www.giftoflife.on.ca) or contact Trillium Gift of Life Network, Ontario's agency responsible for organ and tissue donation and transplantation, by email at [info@giftoflife.on.ca](mailto:info@giftoflife.on.ca).

Thank you for considering this important opportunity.

Sincerely,

**YOUR ATTORNEY**



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## Quick Facts

### 1,600 ONTARIANS WAITING

- Currently in Ontario, there are over 1,600 people on the waiting list for an organ transplant.
- Every three days someone in Ontario dies waiting for a life-saving transplant.
- Over 33% of eligible Ontarians have registered consent to donate.
- Families of registered donors almost always consent to donate their loved ones' organs and tissue when they see evidence of their loved one's donation decision. In the absence of a registered donation decision, families consent only 60% of the time.
- One donor can save up to eight lives through organ donation as well as enhance the lives of up to 75 others through tissue donation.

## Frequently Asked Questions

### What is organ and tissue donor registration?

If you are 16 years or older, and have an Ontario health card, you can register your consent or check your registration status online in two minutes at [www.BeADonor.ca](http://www.BeADonor.ca). You can also register by visiting your local ServiceOntario centre. If you have previously registered a decision of "Yes" to donate organs and tissue, you do not need to re-register.

It is critical to share your decision with your family so they can understand, support and respect your decision in the future.

When you register your consent to donate organs and tissue, this information is stored in a confidential Ministry of Health and Long-Term Care database. The ministry will disclose information about your decision to Trillium Gift of Life Network, Ontario's organ and tissue donation agency, at end of life for the purpose of ensuring that your donation decision is known and respected. By registering your consent to donate, you ensure that your decision is recorded and can be made available to your loved ones.

You can withdraw or change your consent to donate at any time.

### Why should I register my consent to donate organs and tissues?

There is a chronic shortage of organs and tissue available for transplantation across Canada, and the need for organs and tissue in Ontario continues to outweigh their availability. There are 1,600 Ontarians waiting to receive life-saving organ transplants, and thousands await life-enhancing tissue transplants. Donor registration helps to save lives, as in the absence of donor registration, many families decline organ donation as they don't know their loved ones' wishes.



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## Who is eligible to register?

Any Ontario resident who is at least 16 years of age can register their consent to donate their organs and tissues upon their death. Everyone is a potential organ and tissue donor, regardless of age, sexual orientation or health status.

## Can my family overrule my decision to donate?

It is the Trillium Gift of Life Network's practice to reaffirm an individual's consent to donate with the family. In almost all cases, families honour and respect their loved ones' donation decision if they have evidence that it's what they wanted. Therefore, it's important to register your consent to donate so that your family can be advised of your decision.

## Common Myths & Misconceptions

**MYTH:** **Doctors won't work hard enough to save me if I am a registered donor.**

**FACT:** The first and foremost duty of health care professional is to save a life. Only when a life cannot be saved does organ and tissue donation become an option. Organ and tissue donor registration is confidential and accessed only when a patient has died or death is imminent for the purpose of sharing the donation decision with families.

**MYTH:** **No one would want my organs - I'm too old/I'm too sick.**

**FACT:** Everyone is a potential donor regardless of age, medical condition or sexual orientation. The oldest Canadian organ donor was 92 and the oldest tissue donor was 104. Even individuals with serious illnesses can sometimes be donors. Your decision to register should not be based on whether you think you would be eligible or not. All potential donors are evaluated on an individual, medical, case-by-case basis.

**MYTH:** **Asking a devastated family about organ and tissue donation is cruel.**

**FACT:** Most donor families feel a great sense of pride and comfort to know that their loved one has gone on to save and enhance lives.

**MYTH:** **My religion is against organ donation.**

**FACT:** Most major religions support organ and tissue donation because it can save the life of another. If your religion restricts the use of a body after death, consult your religious leader: these restrictions may not include organ and tissue donation, if the donation could save another life. More information can be found on the Trillium Gift of Life Network website: [www.giftoflife.on.ca](http://www.giftoflife.on.ca).

**MYTH:** **I won't be able to have an open casket at my funeral.**

**FACT:** Organ and tissue donation does not impact funeral plans. Cremation and an open casket funeral are both possible.



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**MYTH:**

**Transplants don't work.**

**FACT:**

Transplants save and enhance lives. They are a cost effective form of treatment for end stage organ disease but the system relies on human compassion for success. Visit [www.giftoflife.on.ca/en/media/videos.htm](http://www.giftoflife.on.ca/en/media/videos.htm) to watch recipients talk about transplants.

**MYTH:**

**The organ waiting list gives preference to the wealthy.**

**FACT:**

The allocation and matching process in Ontario is based on medical criteria not social status. Organ allocation is based on criteria such as medical urgency, blood type and the length of time waiting for an organ transplant.