



On approval of the Rules for access of authorized persons of the Coordination Center for Transplantation to the register of citizens who have expressed the right to posthumous donation of organs (part of an organ) and (or) tissues (part of tissue)

Unofficial translation

Order of Acting Minister of Healthcare of the Republic of Kazakhstan dated October 27, 2020 No. ҚР ДСМ -158/2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 30, 2020 No. 21541.

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Pursuant to paragraph 8 of Article 209 of the Code of the Republic of Kazakhstan “On the Public Health and the Healthcare System” **I HEREBY ORDER:**

Footnote. The Preamble - as revised by order of the Minister of Health of the Republic of Kazakhstan № 33 of 02.03.2023 (shall come into effect upon expiry of ten calendar days after the day of its first official publication).

1. To approve the attached Rules of access for authorized persons of the Coordination Center for Transplantation to the register of citizens who have expressed the right to posthumous donation of organs (part of an organ) and (or) tissues (part of tissue).

2. The Department for Organization of Medical Aid of the Ministry of Healthcare of the Republic of Kazakhstan, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, shall ensure:

1) state registration of this Order with the Ministry of Justice of the Republic of Kazakhstan;

2) placement of this Order on the Internet resource of Ministry of Healthcare of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration of this Order with the Ministry of Justice of the Republic of Kazakhstan, the provision to the Legal Department of the Ministry of Healthcare of the Republic of Kazakhstan information on the implementation of the measures provided for in subparagraphs 1) and 2) of this paragraph.

3. Control over the execution of this order shall be entrusted to the Supervising Vice-Minister of Healthcare of the Republic of Kazakhstan.

4. This Order shall come into effect upon the expiration of ten calendar days after the day of its first official publication.

*Acting Minister of Healthcare of the
Republic of Kazakhstan*

M. Shoranov

Annex
to the Order of Acting
Minister of Healthcare
of the Republic of Kazakhstan

Rules of access for authorized persons of the Coordination Center for Transplantation to the register of citizens who have expressed the right to posthumous donation of organs (part of an organ) and (or) tissues (part of tissue) Chapter 1. General Provisions

1. These rules of access for authorized persons of the Coordination Center for Transplantation to the register of citizens who have expressed the right to posthumous donation of organs (parts of an organ) and (or) tissues (parts of tissue) (hereinafter referred to as the Rules) have been developed in accordance with paragraph 8 of Article 209 of the Code of the Republic of Kazakhstan of July 7, 2020 "On Public Health and Healthcare System" (hereinafter referred to as the Code) and shall determine the procedure for authorized persons of the Coordination Center for Transplantation to access the register of citizens who have expressed the right to posthumous donation of organs (parts of an organ) and (or) tissues (part of tissue).

2. The following concepts shall be used in these Rules:

1) register of citizens who have expressed the right to posthumous donation of organs (parts of an organ) and (or) tissues (parts of tissue) (hereinafter referred to as the Register) - a database of adults and capable persons who voluntarily expressed a desire to exercise their right to living consent or refusal to posthumous donation of organs (parts of an organ) and (or) tissues (parts of tissue) for transplantation;

2) authorized body in the field of Healthcare care (hereinafter referred to as the Authorized body) - the central executive body that carries out management and inter-sectoral coordination in the field of health protection of citizens of the Republic of Kazakhstan, medical and pharmaceutical science, medical and pharmaceutical education, sanitary and epidemiological welfare of the population, circulation medicines and medical devices, the quality of medical services (assistance);

3) post-mortem donor - a person under the age of eighteen years or older, who was diagnosed not reversible destruction of the brain, the organs (parts of an organ), and (or) tissues (part of tissue) which can be used for transplantation to the recipient;

4) republican transplant coordinator (hereinafter referred to as the Authorized person) - a doctor who coordinates the work of regional transplant coordinators and effective interdepartmental interaction of medical organizations on transplantation services in the Republic of Kazakhstan, who is a full-time employee of the Coordination Center for Transplantation;

5) Coordination center for transplantation - health organization dedicated to coordinating and supporting organ (parts of an organ) transplantation, and (or) tissues (part of tissue), the position of which shall be approved by the competent authority.

3. Information entered in the Register shall be confidential information and shall not be transferred to third parties, except for the cases provided for by the legislation of the Republic of Kazakhstan.

Chapter 2. Procedure for access of authorized persons of the Coordination Center for Transplantation to the register of citizens who have expressed the right to posthumous donation of organs (part of an organ) and (or) tissues (part of tissue)

4. Access to the register of citizens who have expressed the right to posthumous donation of organs (parts of an organ) and (or) tissues (parts of tissue) shall be possible only for authorized persons of the Coordination Center for Transplantation (hereinafter referred to as Authorized persons).

5. Within 3 (three) working days, the Transplant Coordination Centre shall present details (surname, first name and patronymic (if any)) of the authorised person(s) with a copy of the appointment order(s) to the Republican State Healthcare Organisation offering information services for healthcare institutions and professionals (hereinafter referred to as the Information Service Organisation) to grant him/her/them access to the Register to ascertain the lifetime will of the deceased person.

Footnote. Paragraph 5 - as revised by order of the Minister of Health of the Republic of Kazakhstan № 33 of 02.03.2023 (shall become effective ten calendar days after the date of its first official publication).

6. The information service organization provides access to the Register to authorized persons with the right to view information on citizens who have expressed the right to posthumous donation of organs (parts of an organ) and (or) tissues (parts of tissue).

7. Information on a person's living will on refusal or consent to posthumous donation in the Register shall be available to authorized persons only in the case of:

- 1) authorized access;
- 2) the individual identification number of the posthumous donor.

8. Access to the register shall be locked by the organization on information service in the event of termination of the employment relationship of the authorized person in the position of a Republican transplant coordinator, based on a letter and a copy of the relevant order of the Coordinating Center for Transplantation within one working day from the date of receipt.

9. Control over compliance with information security by authorized persons shall be carried out by the Transplant Coordination Center.