51 - ORGAN DONATION AND TRANSPLANT: A DISCUSSION IN LIFE AND POST MORTEM

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INTRODUCTION

The Brazilian legislation that regulates the donation law and organs transplant is the Law no. 9.434/97, that had some goods modified by the Law no.10.211/01. Two forms of donations are regulated in it: after the cerebral death or " post mortem " and in life. The donation in life is allowed when it deals with double organs, such as the kidneys and part of the liver or the lung, by judicial authorization (art. 9th , of the Law no. 9434/97, and the art. 15, of the Ordinance no.. 2268/97). and the encephalic death donor, the donation can only be executed by the family authorization (art. 4th of the law no.. 9434/97, with a new document given by the Law no. 10.211/01).

With the success of the transplants techniques the searching for donations is constantly increasing (CATÃO, 2004, p. 198 - 204). Consequently, the number of people in search of an organ to survive is growing every year (ADOTE, 2008). It can be observed in the literature on researches discussed by some authors about organs donation, that there is a difference between the real number of potential donors and the number of donations accomplished (RODRIGUES; SATO, 2006; ADOTE,2008; GALVÃO.FHF et al.,2007).

By celebrating the 10 years of the donation law and organs transplant, since the law 9.434/97 went into effect in January of 1998, the ADOTE (Brazilian Alliance for the Donation of organs and tissues) published a research with relevant results. In that work, the author states that in Brazil there is waste of organs and corneas and he also points out that the matter of the waste was also approached by Marine and Cardoso and Almeida (2007) in the sense that " there is a high " idle capacity". In Brazil, out of each 8 potentials donors, only one is notified and only 20% of them are used as donors of multiple organs ". (ASSIS,2008).

According to those data, the lack of structure in the public section of health, the lack of information of the population and of the professionals of the medical area, are believed to be the main reasons of that waste. (GALVÃO FHF. et al, 2007).

The present study aim at analyzing the representation and the level of knowledge of three social groups, consisting of students of medicine of the 7th level at UFPB (Universidade Federal da Paraíba); students of Law; and some people of an evangelizing group of the catholic church in a fishermen villa, about organ donation, transplant laws and themes that raise ethical issues.

METHODS

The research is descriptive in traverse cut and it was accomplished in December from 2006 to February 2007. As instrument of collection of data, a questionnaire containing 06 questions was used, being 04 (four) questions with justifications about the organs donation, aspects of the legislation, ethical subjects until the donation process. The questions were the following ones: 01. Would you donate an organ?(Donation after encephalic death). Justify the reasons of your choice. 02. Would you donate your organs in life? If so, in which hypotheses and circumstances? If no, why not? If you are not certain with donation in life, what is the reason of your indecision? 03. Does the law of the transplants of organs respect the human dignity? 04. Do you think that the waiting list of organ receptors is reliable? Justify the reasons of your answer. 05. Since the patient with encephalic death is a potential donor, do you trust the criteria adopted to diagnose this death type? 06. Since anybody can be a donor by judicial authorization, do you think that it is favorable to the trading of organs?

The population studied consisted of 160 informants and the selection of the sample was accomplished at randomly under a raffle criterion, constituting, at the end 75 people, being 25 students (of a population of 50 students) of the 7th level of the medicine course at UFPB (Universidade Federal da Paraíba); 25 students of the 3rd level (of a population of 100 students) of the course of Law at UFPB and the evangelizing group of the church, 25 people (of a population of 60 people) in the community villa of the fishermen, in Manaíra, in the City of João Pessoa- Paraíba. The research was approved by the Committee on Ethics in research of the Center of Sciences of Health of the Federal University of Paraíba CEP/CCS'S. After the raffle, a questionnaire was given to each of the individuals interviewed, with instructions and with a document of free allowance for the task. The questionnaire analysis was achieved into two stages. The first considered the answer of the 06 questions of the 03 (three) social groups. The methods of statistical analysis descriptive were applied In order to do the quantitative analysis of the results. The second considered the justifications of the 04 (four) questions by using Bardin's technique of content, which that defines it as

a group of techniques of analysis of the communications aiming to get indicators (quantitative or not), through systematic and objective procedures of description of the content of the messages, that allow to infer relative knowledge to the production/reception conditions (inferred variables) of those messages. (BARDIN,1977, P.37):

Bardin (ibdem, p.89) considers three phases in the content analysis, namely: Pre-analysis, exploration of the material, the results, inference and interpretation. In the phase of the pre-analysis, the investigator should proceed to the choice of the documents that will be analyzed after to the formulation of the hypotheses and of the objectives of the investigation and to the elaboration of indicators that should support the final interpretation. In this phase, the operations to accomplish text division of categorization and codification should also be determined.

After a previous reading of the selected documents, it was determined that the corpus (it is the group of the documents to be submitted to the analytic procedures) of the present study would be the justifications of the answers of the 04(quatro) items of the questionnaire, about the donation of organs.

The unit of registration is the element of communication that serves as base for the investigation. For to present research, the themes, or sense nuclei, were chosen as units of registration and context. The thematic analysis demands a cutting of the sense, not in the form, as it occurrs with the linguistic analyses, which use words or sentences as units (BARDIN, ibdem.).

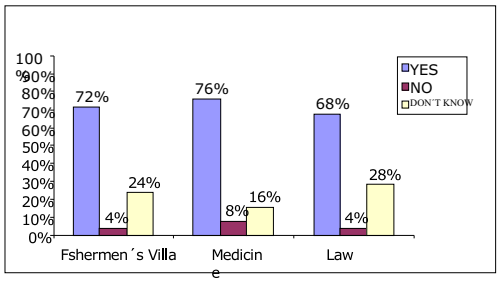
For this research, the types of enumerations chosen were those that concern the presence of the units of registration or context and their occurrence in the selected corpus. The thematic analysis of the content of the justifications of the answers was an option, and the criterion of the categorization was semantic. In other words, some categories resulted from the themes of the answers and of the subcategories, from repetitions observed in the answers given by the students of the two courses and the community's group. In the analysis some descriptive statistics was used, like percentages so as to base the interpretation and understanding of the texts.

DISCUSSION

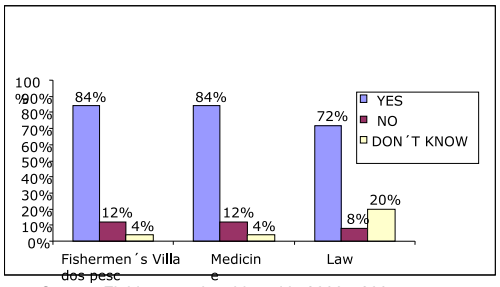
The data were collected along the study. Then they were analyzed and discussed quanti-qualitatively when it was possible to identify, evaluate and interpret the opinions of the students of Law, medicine and the evangelizing group of the community of the villa of the fishermen, about their knowledge on the donation and aspects of the law of the transplants.

The quantitative data showed that most of the interviewees is favorable to the donation of organs, after encephalic death and in life. As demonstrated in Graphs 01 and 02, the data indicate that there is a positive readiness to the act of donating. With relationship to the question on the transplants law, regarding the human dignity, most of the 03(three) researched social groups answered that they did not know the law. They were distributed as follows: 52% of the students of medical studies of the seventh level, 48% of the students of the 3rd level of Law and 44% of the group of church of the villa of the fishermen, those indices refer to a deficiency in the knowledge on the law of organs donation in the social groups. According to Galvão et. al. (2007), there are some medicine readings about some students of medicine, referring to the Brazilian doctors' insufficient knowledge concerning organs transplant, which can also justify the low level of organs reception.

It is observed that almost half of the students of Law, in the seventh level do not know the law. It is thus important that during the course, some disciplines approaching the theme should be offered so as to avoid that " deficiency ", especially because they will be professionals and thus be able to perform a juridical career, in terms of applying the law.



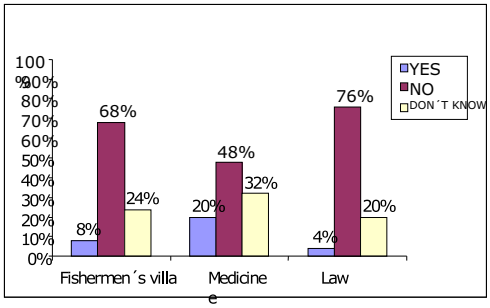
Source: Field research achieved in 2006 - 2007.



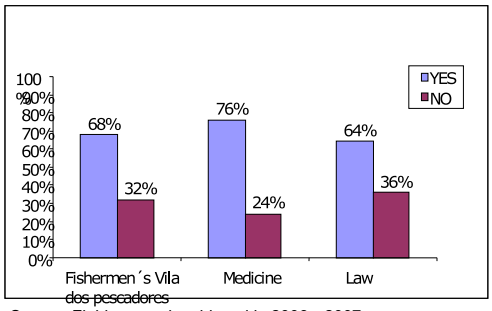
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According to the results of the data in Graphs 03 and 04, it is observed that most of the 03 (three) researched groups showed lack of a certain credibility for the public section. These are data that impel people to think urgently, on how to restructure the public system, particularly, in the area of health, This attitude by the interviewees is possibly to be consequent accusations, such as, swindle in the order of the and about commercialization of the human body, according to Garrafa (1993). As for the trust in the diagnosis of the encephalic death, only the group of the students in medicine at the seventh level answered that trusted the diagnosis with 64%; the students at 3rd level in Law, with 40%; and the the fishermen's villa, with 48% answered that they do not know how the diagnosis of the encephalic death is achieved.

The data reveal that there is the need of more education campaigns to the society about organ donation so as to inform and clarify how the cerebral death occurs, and thus increase the number of *post mortem* donors.



Source: Field research achieved in 2006 - 2007.



Source: Field research achieved in 2006 - 2007.

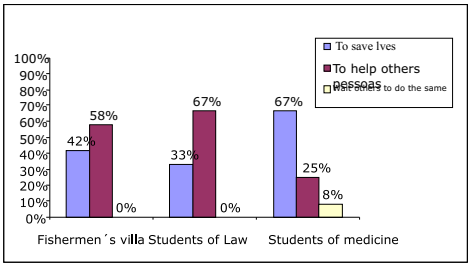
The technique by Bardin (1979) was applied for the qualitative analysis of the 03 (three) social groups, in the justifications of the 04 (four) subjects.

In the question about organ donation 'after the encephalic death', in Graphs 05 and 06, most of the informants is favorable to the donation, Graph 01, thus emerging the organ donor category in Graphic 05, after of the analysis of the justification contents of the answers, the subcategories amongst those in the answers of the group of medicine of the 7th level, " save life " was the one that mostly occurred. It is noticed that " to save lives " is in conformity with the area of those that handle directly with the human life because the doctor's major aim is to cure and see the patient live. The code of medical ethics sets down in its art. 2nd " The goal of all the doctor's attention is the human being health, whose benefit should be acted with the maximum care and the best of his performance", as well as the art. 6° " The doctor should keep absolute respect for the human life, always acting in the patient's benefit. He will never use his knowledge to cause physical or moral sufferings, to exterminate human being, or to allow and to cover attempt against his dignity and integrity ".

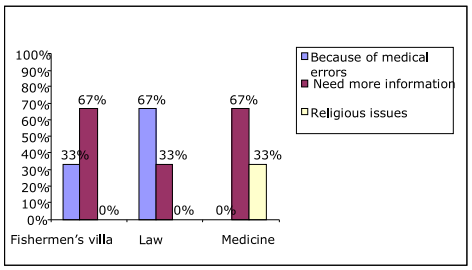
The student of the 3rd level of Law, the evangelizing group of the church in the community villa of the fishermen, all of them in the category of donors of organs, had their answers " to help other people ", which was the mostly frequent occurrence. According to Ferreira (2008) *help* means: to help, to favor, to render aid to somebody. In fact, the students of Law, for being in the humanistic area, make that their thought be coherent with their social commitment of helping the others. And the group of the church in the community of the fishermen's villa, due to their dwelling environment, they reflect their interest to others, which is inherent to the human being who lives in community by preaching and teaching the word of God.

From the 03 (three) researched groups, the group that answered not to be donor (category non donor), referred to the minority, Graph 01, the subcategory that appeared with their answers was " lack of reliability of the SUS " (Sistema Unico de Saúde).

In terms of the undecided category, it is interesting to point out that the subcategory " need further explanations on the law " appeared for the three groups, then for two groups, one for the students of Law and the other for the evangelizing group of the villa of the fishermen. the highlighted subcategory was " because of the medical errors ", and only in group of the students of medicine, the term " religious issues " appeared. The data, among the researched groups, confirm that the lack of explanations is one of the main reasons for the non-donation of organs, thus causing indecision in terms of being or not an organs donor.



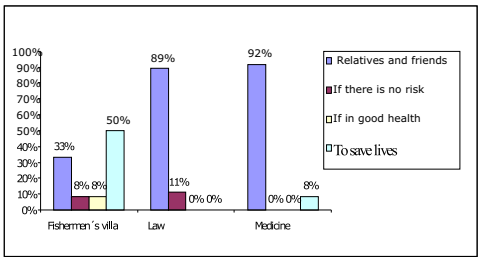
Source: Field research achieved in 2006 - 2007



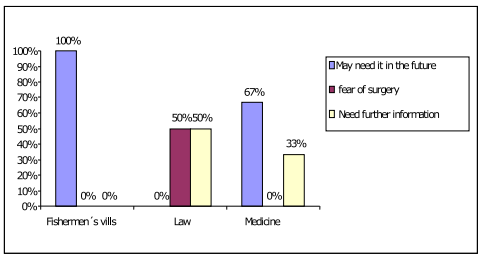
Source: Field research achieved in 2006 - 2007.

As for the organs donation in life, most of the informants in the 03 (three) social groups is favorable to the donation of organs as in Graph 02, and in the answers given by the groups of medicine and Law, the subcategory that mostly occurred was: " I would donate only for relatives and or friends ", Graph 07. Such an answer is given as a motivation form to the donation in life and the fact that this has been possibly urged to this restrictive motivation of donating only in life for relatives and or friends, be to get involved in emotional, psychological and ethical order. In the group of the church of the fishermen's villa, differently from the previous groups, the subcategory mostly frequent was " to save lives ", in other words, the motivation was unanimously; there was no limitation.

What called the attention in the answers of the category of the donors of organs in life, Graph 8, were the answers presented by the students of Medicine and Law, whose subcategory " I need further information " mostly occurred, which suggests a fragility in the knowledge on the theme of the organ donation.

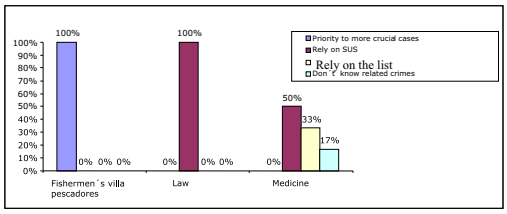


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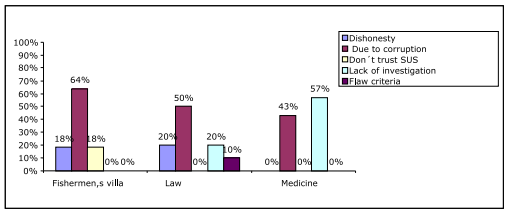


Source: Field research achieved in 2006 - 2007

In the question about the waiting receptors list, most of the 03 (three) social groups answered that they did not trust the list, Graph 04. In the group of the students of medicine, in the category of those that trust the list, the subcategory that mostly occured was " lack of fiscalization ". The group of students of Law and the group of the church of the villa of the fishermen, had the same subcategory: " due to corruption ", Graph 10. The data reveal that there is the need for restructuring the public system, as well as in the legislation of the transplants that rule the procedure for the investigation of the receptors list.



Source: Field research achieved in 2006 – 2007



Source: Field research achieved in 2006 - 2007

With relationship to the question of the donation in life to be to favorable to the organ trade in the three groups, most of them answered "yes", as in Graph 03. The related subcategories for the groups were distributed in the following way: for the students of medicine at the 7th level, " financial issues " 56%; " unprepared population" 22%, and " lack of investigation " 22%; for the students of Law at the 3rd level "the corruption can lead to the illegal trade " 50%, " increase of the number of donors " 40%, " unprepared population " 10%; and for the group of the church in the fishermen's villa, " corruption can lead to illegal trade" 45%; " need and the lack of donors " 36%; " financial issues " 18%.

According to Garrafa (1993), the human organs trade has increased due to historical reasons linked to the socioeconomic conditions, that is basically based on the inevitable capital accumulation on the part of a minority, where the profit headquarters is insatiable, combined with the chronic unbalanced world verified among the offer, the demand and the access to the health services.

CONCLUSIONS:

It was verified in the groups that there is a good desire for the organ donation, after the encephalic death, and in life; however, there seems to be a motivation on the part of the students of Law and Medicine to donate their organs only for relatives or friends. The deficiency in the information about the organ donation, in the transplant law and in the knowledge on the diagnosis of the encephalic death remained also evidenced.

The data also revealed a distrust in the public section, through the answers to the questions in the subcategory of the waiting list of organ receptors and in the donation in life when accomplished by anyone, even preceded by legal. Hence, it

important to have more campaigns about the theme, aiming at improving the knowledge, as well as to modify the law to a better investigation, besides a restructuring in the health system

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ORGAN DONATION AND TRANSPLANT: A DISCUSSION IN LIFE AND POST MORTEM

ABSTRACT

This study aims at analyzing the representation and the level of knowledge of three social groups on organ donation, transplants law and themes that raise ethical issues. The sample consisted of 25 students of the seventh level in the course in medicine at UFPB, 25 students in the 3rd year of the course of Law at UFPB and a group of 25 evangelizing people, of the fishermen´s villa in Manaíra, in the City of João Pessoa-Paraíba. The research was accomplished from December 2006 to February 2007. For the data collection, a questionnaire was used as instrument, consisting of open and closed questions. For the closed answers the descriptive statistical analyses were applied and for the justifications, the technique of content analysis was applied. The data has revealed that most of the interviewees is in favor of the donation of the organs, after the encephalic death, even as in life, except for the students of medicine that would only donate in life for relatives or friends. On the knowledge of the law of organ transplants, the data point that most does not know the law, and does not trust in the only list of beneficiaries. As for trusting in the diagnose of the encephalic death, 64% of the medicine students answered that they trust the diagnosis, while the students of Law and the fishermen´s villa, 40% and 48% answered that they do not know. Most of the informants answered that there is a preference for the organ trade, which is a possibility for anybody capable and judicially authorized to be an organ donor in life. It is concluded that there is a strong tendency for organ donation after an encephalic death and also in life, in the three groups, as well as deficiency in the knowledge on the organs donation and a certain distrust in the public section.

Key-words: Organs donation, Transplants and Ethics

LE DON ET LA GREFFE D'ORGANES : UNE DISCUSSION DURANT LA VIE ET APRÈS LA MORT

RÉSUMÉ

Dans la présente étude, notre objectif est d'analyser la représentation et le niveau de connaissance de trois groupes sociaux concernant le don d'organes, la loi sur les greffes et les thèmes qui suscitent des questionnements éthiques. L'échantillon était constitué de 25 étudiants de 4ème année de médecine de l'UFPB, de 25 étudiants de 3ème année de droit de l'UFPB et de 25 personnes du groupe évangélisateur d'un village de pêcheurs du quartier de Manaíra, dans la ville de João Pessoa, État de Paraíba. La reherche a été menée de décembre 2006 à février 2007. Pour recueillir les données, nous avons utilisé un questionnaire fait de questions ouvertes et fermées. Pour les réponses fermées, nous avons appliqué les analyses statistiques descriptives et pour les justificatifs, la technique de l'analyse de contenu. Les données montrent que la majorité des interviewés est favorable au don d'organes, autant celui fait après la mort cérébrale d'une personne que celui fait de son vivant, les étudiants de médecine et de droit faisant toutefois observer que, de leur vivant, ils ne feraient don d'un organe qu'à des parents ou des amis. Sur la connaissance de la loi portant sur les greffes d'organes, les données montrent que la majorité ne la connait pas et n'a pas confiance non plus dans la liste unique des récepteurs. Sur la confiance dans le diagnostic de mort cérébrale, 64% des étudiants de médecine ont répondu qu'ils lui font confiance, tandis que 40% et 48%, respectivement, des étudiants de droit et le village de pêcheurs, ont répondu qu'ils ne le connaissaient pas. La majorité des interviewés a répondu que le trafic d'organes était favorisé par le fait que n'importe qui, jouissant de toutes ses capacités légales et judiciaires, peut faire un don d'organes de son vivant. Nous avons conclu que dans les trois groupes existe une forte tendance en faveur du don d'organes après la mort cérébrale d'une personne et de son vivant, tout comme existe aussi un manque de connaissance concernant ce don et une certaine méfiance vis à vis du secteur public.

Mots-clés : Don d'organes, greffe d'organes et éthique

LA DONACIÓN Y TRANSPLANTE DE ÓRGANOS: UNA DISCUSIÓN EN VIDA Y POST

RESUMEN

El presente estudio tiene como objetivo analizar la representación y el nivel de conocimiento de tres grupos sociales sobre la donación de órganos, ley de los transplantes y temas que motivan cuestionamientos éticos.La muestra fué compuesta por 25 estudiantes del séptimo período del cuso de medicina de la UFPB(Universidad Federal de Paraiba), 25 estudiantes del 3er año del curso de derecho de la UFPB y 25 personas del grupo de evangelismo, de una villa de pescadores, en el barrio de Manaíra de la ciudad de Joâo Pessoa en el estado de Paraiba.La investigación fué realizada en el período de Diciembre del 2006

a Febrero del 2007.Para la recolección de datos el instrumento utilizado fué un cuestionário , compuesto de preguntas abiertas y cerradas.Para las respuestas cerradas se aplico las análisis estadísticas descriptivas y para las justificativas la técnica de análisis de contenido.Los datos muestran que la mayoria de los entrevistados es favorable a la donación de órganos, tanto la donación echa después de la muerte encefálica, como en vida para parientes y o amigos.Sobre el conocimiento de la ley de transplante de órganos, los datos apuntan que la mayoría no conoce la ley, como también no confía en la lista única de receptores.Sobre la confianza en el diagnóstico de muerte encefálica, 64% de los estudiantes de medicina respondieron que confian en el diagnóstico, mientras que los estudiantes de derecho y la villa de pescadores, 40% y 48% respondieron, respectivamente que no la conocen. La mayoría de los entrevistados respondió que hay un favorecimiento al comercio de órganos, la posibilidad de cualquier persona capaz y autorizada judicialmente a ser donador de órganos en vida. Concluimos que en los tres grupos hay una fuerte tendencia para la donación de órganos despues de la muerte encefálica y en vida, como también existe deficiencia en el conocimiento sobre la donación de órganos y una cierta desconfianza en el sector público.

Palabras llaves: Donación de órganos, transplante de órganos y ética.

A DOAÇÃO E TRANSPLANTE DE ÓRGÃOS: UMA DISCUSSÃO EM VIDA E PÓS MORTE.

RESUMO

O presente estudo tem por objetivo analisar a representação e o nível de conhecimento de três grupos sociais sobre a doação de órgãos, lei dos transplantes e temas que suscitam questionamentos éticos. A amostra foi composta por 25 estudantes do 7° período do curso de medicina da UFPB, 25 estudantes do 3° ano do curso de direito da UFPB e 25 pessoas do grupo evangelizador, da vila de pescadores, bairro de Manaíra na Cidade de João Pessoa na Paraíba. A pesquisa foi realizada no período dezembro de 2006 a fevereiro 2007. Para a coleta de dados o instrumento utilizado foi um questionário, composto de perguntas abertas e fechadas. Para as respostas fechadas aplicou-se as análises estatísticas descritivas e para as justificativas a técnica de análise de conteúdo. Os dados mostram que a maioria dos entrevistados é favorável a doação de órgãos, tanto a doação feita após a morte encefálica, como em vida, ressalvando o grupo dos estudantes de medicina e direito que só doariam em vida para parentes e ou amigos. Sobre o conhecimento da lei de transplantes de órgãos, os dados apontam que a maioria não conhece a lei, como também não confia na lista única de receptores. Sobre a confiança no diagnostico da morte encefálica, 64% dos estudantes de medicina responderam que confiam no diagnóstico, enquanto os estudantes de direito e a vila dos pescadores, 40% e 48% responderam, respectivamente que não conhecem. A maioria dos pesquisados respondeu que há um favorecimento ao comércio de órgãos, a possibilidade de qualquer pessoa capaz e autorizada judicialmente ser doador de órgãos em vida. Conclui-se que nos três grupos há uma forte tendência para doação de órgãos após a morte encefálica e em vida, como também deficiência no conhecimento sobre a doação de órgãos e uma certa desconfiança no setor público.

Palavras chaves: Doação de órgãos, Transplantes e Ética