

Court won't reconsider bone marrow payments ruling

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(AP) -- A federal appeals court on Tuesday declined to reconsider a ruling that allows bone marrow donors to be paid for their donations like blood donors.

In December, the 9th U.S. Circuit Court of Appeals shook up the organ transplant community when it overturned the criminality of paying bone marrow donors. Previously, donating bone marrow was classified the same as donating a kidney or any other organ, and payments were forbidden, punished by jail time.

But the court said a [technological breakthrough](#) makes the process of donating bone marrow nearly identical to giving [blood plasma](#) and doesn't amount to an organ transplant.

On Tuesday, the 9th Circuit declined the Obama administration's request to reconsider the ruling. Several organizations and activists in the organ-donation community have urged the administration to fight the ruling.

The administration now has 90 days to petition the U.S. Supreme Court.

Department of Justice spokesman Charles Miller said the administration is reviewing its options.

The nonprofit patient advocacy group Institute for Justice called the original ruling a "major national shift in bone marrow donation policy" and said payments will encourage more donations.

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