

May 19, 2008

H 2223. ANATOMICAL GIFTS. Filed 5/19/08. *TO AMEND THE REVISED ANATOMICAL GIFT ACT AND OTHER SECTIONS OF THE GENERAL STATUTES FOR CONSISTENCY, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

Amends GS 90-602 by defining the terms *anatomical gift*, *document of gift*, *donor*, and *refusal* as the same meaning given to those terms under GS 130A-412.A (definition section of the Revised Uniform Anatomical Gift Statute Act). Reorganizes state and clarifies that those authorized to make a reasonable search are to search a person reasonably believed to be dead or near death for documents indicating organ donor status (a gift or refusal). Those individuals are to send found documents to the hospital. Allows a hospital to reasonably search an individual reasonably believed to be dead or near death if it has not been advised of donor status as soon as practical upon the individual's arrival at the hospital (was, upon admission). Provides that a person acting under this statute is not criminally or civilly liable, but may be subject to administrative sanctions for failing to discharge these duties. Also exempts a person acting in good faith or with due care from a civil action, criminal prosecution, or administrative proceedings. Makes technical changes and changes the statute's caption. Amends GS 130A-412.14 by deleting language describing searches and notification requirements in determining an individual's donor status and references same provisions in GS 90-602.

Repeals GS 130A-391 (Corneal tissue removal). Makes technical changes to GS 32A-15(d), GS 90-210.124(d), GS 90-210.129(q), GS 130A-145(f), and GS 130A-420(d) by replacing reference to Part 3 (Uniform Anatomical Gift Act) with Part 3A of Article 16 of Chapter 130A (Revised Uniform Anatomical Gift Act).

Intro. by Ross.

GS 32A, 90, 130A