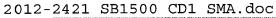
A BILL FOR AN ACT

RELATING TO ANATOMICAL GIFTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The purpose of this Act is to save lives and
- 2 improve the quality of life of Hawaii's people who need organ
- 3 transplantation. This Act also is intended to improve the
- 4 quality of medical education in Hawaii by ensuring that the
- 5 proper individuals and entities fulfill their obligation to
- 6 effectuate anatomical gifts.
- 7 SECTION 2. Section 327-14, Hawaii Revised Statutes, is
- 8 amended by amending subsection (i) to read as follows:
- 9 "(i) Subject to sections 327-11(h) and 327-23, the rights
- 10 of the person to which a body part passes under section 327-11
- 11 are superior to rights of all others with respect to the body
- 12 part. The person [may] to whom an anatomical gift passes under
- 13 this chapter shall accept or reject [an] the anatomical gift [in
- 14 whole or in part.] unless the anatomical gift is medically
- 15 unsuitable for transplantation, therapy, research, or education.
- 16 The acceptance shall occur when the anatomical gift is made
- 17 under this chapter, regardless of whether another person,
- 18 including family members of the donor, has made an anatomical





- 1 gift. Subject to the terms of the document of gift and this
- 2 part, a person that accepts an anatomical gift of an entire body
- 3 may allow embalming or cremation and use of remains in a funeral
- 4 service. If the gift is of a body part, the person to which the
- 5 body part passes under section 327-11, upon the death of the
- 6 donor and before embalming or cremation, shall cause the body
- 7 part to be removed without unnecessary mutilation."
- 8 SECTION 3. Statutory material to be repealed is bracketed
- 9 and stricken. New statutory material is underscored.
- 10 SECTION 4. This Act shall take effect upon its approval.

Report Title:

Anatomical Gifts; Acceptance

Description:

Requires a person to whom an anatomical gift passes to accept or reject the gift if it is medically suitable for transplantation, therapy, research, or education. (CD1)

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