

ACT 162

H.B. NO. 1514

A Bill for an Act Providing That Eye Enucleation May Be Performed by Trained Technicians.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 327-7, Hawaii Revised Statutes, is amended to read as follows:

“§327-7 Rights and duties at death. (a) The donee may accept or reject the gift. If the donee accepts a gift of the entire body, he may, subject to the terms of the gift, authorize embalming and the use of the body in funeral services. If the gift is of a part of the body, the donee, upon the death of the donor and prior to embalming, shall cause the part to be removed without unnecessary mutilation. After removal of the part, custody of the remainder of the body vests in the surviving spouse, next of kin, or other persons under obligation to dispose of the body.

(b) The time of death shall be determined by a physician who tends the donor at his death, or, if none, the physician who certifies the death. The physician shall not participate in the procedures for removing or transplanting a part.

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(c) A person who acts in good faith in accord with the terms of this part or with the anatomical gift laws of another state or a foreign country is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his act.

(d) The provisions of this part are subject to the laws of this State prescribing powers and duties with respect to autopsies.

(e) A technician who has successfully completed a course of training acceptable to the board of medical examiners may enucleate the eyes of a donor.”

SECTION 2. New statutory material is underscored.*

SECTION 3. This Act shall take effect upon its approval.

(Approved June 16, 1981.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.