

1 2	SECOND REGULAR SESSION
3 4	ONE HUNDRED AND TWELFTH LEGISLATURE
5 6	Legislative Document No. 1799
7 8 9	H.P. 1282 House of Representatives, January 9, 1986 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Human Resources suggested and ordered printed.
10	EDWIN H. PERT, Clerk Presented by Representative Nelson of Portland. Cosponsored by Senator Clark of Cumberland.
12 13	STATE OF MAINE
14 15 16	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SIX
17 18 19	AN ACT Concerning Required Request for Organ Donation.
20 21	Be it enacted by the People of the State of Maine as follows:
22 23	<pre>Sec. 1. 22 MRSA §2842, sub-§4 is enacted to read:</pre>
24 25 26 27 28 29 30 31 32	4. Request for anatomical gift. When a death oc- curs in a hospital, the person in charge of the hos- pital or his designated representative shall sign the certificate and shall include on the certificate a statement to the effect that, where required, a re- quest for the consent to an anatomical gift has been made and shall further indicate whether or not con- sent was granted, the name of the person granting the consent and his relationship to the decedent.
33	Sec. 2. 22 MRSA §2847 is enacted to read:
34	§2847. Duties of hospital administrator

1. Duties. Except as provided in subsection 2 on 1 2 or before the occurrence of death in a hospital, the 3 person in charge of the hospital, or his designated 4 representative, other than a person connected with 5 the determination of death, shall request any of the 6 persons set out in section 2902, subsection 2, in ac-7 cordance with the procedure set out in that section, to consent to the gift of all or any part of the de-8 9 cedent's body for any purpose specified in section 10 2903.

11 When such a request is made the request and its dis-12 position shall be noted in the patient's medical 13 record and on the death certificate, as is required 14 in section 2842, subsection 4.

15 2. Exception. When, based on medical criteria, 16 the request would not yield a donation which would be 17 suitable for use, the Commissioner of Human Services 18 may, by rule, authorize an exception to the request 19 required by subsection 1.

20 3. Rules. The commissioner shall promulgate rules concerning the training of hospital employees 21 who may be designated to perform the request and the 22 23 procedures to be employed in making it. In addition, 24 the commissioner shall promulgate such rules as are 25 necessary to implement appropriate procedures to facilitate the delivery of donations from receiving 26 27 hospitals to potential recipients.

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STATEMENT OF FACT

29 This bill requires hospitals to ask families or 30 legal representatives for organ donations whenever a 31 patient dies.

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