

## 142C.2 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "*Adult*" means an individual who is eighteen years of age or older.
2. "*Agent*" means an individual who meets any of the following conditions:
  - a. Is authorized to make health care decisions on the principal's behalf by a durable power of attorney for health care pursuant to chapter 144B.
  - b. Is expressly authorized to make an anatomical gift on the principal's behalf by any other record signed by the principal.
3. "*Anatomical gift*" or "*gift*" means a donation of all or part of the human body effective after the donor's death, for the purposes of transplantation, therapy, research, or education.
4. "*Decedent*" means a deceased individual whose body or part is or may be the source of an anatomical gift and includes a stillborn infant.
5. "*Disinterested witness*" means a witness other than the spouse, child, parent, sibling, grandchild, grandparent, or guardian of the individual who makes, amends, revokes, or refuses to make an anatomical gift, or any other adult who exhibited special care and concern for the individual. "*Disinterested witness*" does not include a person who may receive an anatomical gift pursuant to section 142C.5.
6. "*Document of gift*" means a donor card or other record used to make an anatomical gift, including a statement or symbol on a driver's license or identification card, or an entry in a donor registry.
7. "*Donor*" means an individual whose body or part is the subject of an anatomical gift.
8. "*Donor registry*" means a database that contains records of anatomical gifts and amendments of anatomical gifts.
9. "*Driver's license*" means a license or permit issued by the state department of transportation to operate a vehicle, whether or not conditions are attached to the license or permit.
10. "*Eye bank*" means a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of human eyes or portions of human eyes.
11. "*Forensic pathologist*" means a pathologist who is further certified in the subspecialty of forensic pathology by the American board of pathology.
12. "*Guardian*" means a person appointed by a court to make decisions regarding the support, care, education, health, or welfare of an individual, but does not include a guardian ad litem.
13. "*Hospital*" means a hospital licensed under chapter 135B, or a hospital licensed, accredited, or approved under federal law or the laws of any other state, and includes a hospital operated by the federal government, a state, or a political subdivision of a state, although not required to be licensed under state laws.
14. "*Identification card*" means a nonoperator's identification card issued by the state department of transportation pursuant to section 321.190.

15. *"Iowa donor network"* means the nonprofit organization certified by the centers for Medicare and Medicaid services of the United States department of health and human services as the single organ procurement agency serving the state and which also serves as the tissue recovery agency for the state.
16. *"Iowa donor registry"* means the Iowa donor registry administered by the Iowa donor network.
17. *"Know"* means to have actual knowledge.
18. *"Medical examiner"* means an individual who is appointed as a medical examiner pursuant to section 331.801 or 691.5.
19. *"Minor"* means an individual who is less than eighteen years of age.
20. *"Organ procurement organization"* means a person designated by the United States secretary of health and human services as an organ procurement organization.
21. *"Parent"* means a parent whose parental rights have not been terminated.
22. *"Part"* means an organ, an eye, or tissue of a human being, but does not include the whole body of a human being.
23. *"Pathologist"* means a licensed physician who is certified in anatomic or clinical pathology by the American board of pathology.
24. *"Person"* means person as defined in section 4.1.
25. *"Physician"* means an individual authorized to practice medicine and surgery or osteopathy\* and surgery under the laws of any state.
26. *"Procurement organization"* means an eye bank, organ procurement organization, or tissue bank.
27. *"Prospective donor"* means an individual who is dead or near death and has been determined by a procurement organization to have a part that could be medically suitable for transplantation, therapy, research, or education, but does not include an individual who has made a refusal.
28. *"Reasonably available"* means able to be contacted by a procurement organization without undue effort and willing and able to act in a timely manner consistent with existing medical criteria necessary for the making of an anatomical gift.
29. *"Recipient"* means an individual into whose body a decedent's part has been transplanted or is intended for transplant.
30. *"Record"* means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
31. *"Refusal"* means a record created pursuant to section 142C.3 that expressly states an individual's intent to prohibit other persons from making an anatomical gift of the individual's body or part.
32. *"Sign"* means to do any of the following with the present intent to authenticate or adopt a record:
  - a. Execute or adopt a tangible symbol.
  - b. Attach to or logically associate with the record an electronic symbol, sound, or process.

33. "*State*" means any state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

34. "*Technician*" means an individual determined to be qualified to remove or process parts by an appropriate organization that is licensed, accredited, or regulated under federal or state law and includes an enucleator.

35. "*Tissue*" means a portion of the human body other than an organ or an eye, but does not include blood unless the blood is donated for the purpose of research or education.

36. "*Tissue bank*" means a person that is licensed, accredited, or regulated under federal or state law to engage in the recovery, screening, testing, processing, storage, or distribution of tissue.

37. "*Transplant hospital*" means a hospital that furnishes organ transplants and other medical and surgical specialty services required for the care of transplant patients.

95 Acts, ch 39, §2; 2001 Acts, ch 74, §3; 2002 Acts, ch 1064, §1, 2; 2007 Acts, ch 44, §2

\*The term "osteopathic medicine" probably intended; corrective legislation is pending