

# Senate Study Bill 2080

## Conference Committee Text

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1 1 Section 1. NEW SECTION. 142C.4A AUTHORITY OF MEDICAL  
1 2 EXAMINER &dash; RELEASE AND REMOVAL OF PART FOR MAKING OF  
1 3 ANATOMICAL GIFT.  
1 4 1. A medical examiner may permit the removal of a part  
1 5 from a body in the custody of the medical examiner and may  
1 6 release the part for any purpose authorized pursuant to  
1 7 section 142C.5 if the body of the decedent cannot be  
1 8 identified or if the next of kin of the decedent cannot be  
1 9 located, and if all of the following conditions are met:  
1 10 a. The medical examiner has received a request for the  
1 11 part from a hospital, physician, organ procurement  
1 12 organization, or bank or storage organization.  
1 13 b. Given the useful life of the specific part, the medical  
1 14 examiner is satisfied that a reasonable effort has been made  
1 15 by the organ procurement organization or bank or storage  
1 16 organization to locate and examine the decedent's medical  
1 17 records and to inform a person specified in section 142C.4 of  
1 18 the option to make or object to the making of an anatomical  
1 19 gift.  
1 20 c. The medical examiner does not know of a refusal or  
1 21 contrary indication by the decedent or of an objection by a  
1 22 person having priority to act pursuant to section 142C.4  
1 23 regarding the making of an anatomical gift.  
1 24 d. The medical examiner does not know that the decedent,  
1 25 at the time of death, was a member of a religion, church,  
1 26 sect, or denomination which relies solely upon prayer for the  
1 27 healing of disease or which has religious tenets that would be  
1 28 violated by the disposition of the decedent's body or part for  
1 29 any of the purposes provided pursuant to section 142C.5.  
1 30 e. Removal of a part will be performed by a physician,  
1 31 technician, or enucleator.  
1 32 f. Removal of a part will not significantly alter or  
1 33 compromise the results of any autopsy or investigation.  
1 34 g. Removal of a part will be in accordance with accepted  
1 35 medical standards.  
2 1 h. Cosmetic restoration will be performed, if appropriate.  
2 2 i. The person's death is not a death which affects the  
2 3 public interest as defined in section 331.802, or if the death  
2 4 is a death which affects the public interest, any  
2 5 investigation relating to the decedent's death has been  
2 6 completed.  
2 7 2. The medical examiner releasing and permitting the  
2 8 removal of a part shall maintain a permanent record of all of  
2 9 the following:  
2 10 a. The name of the decedent.  
2 11 b. The date and time of the release of the body or part  
2 12 and the name of the person to whom the body or part was  
2 13 released.

### EXPLANATION

2 15 This bill authorizes a medical examiner to release and  
2 16 permit the removal of a part from a body in the custody of the  
2 17 medical examiner for the purposes of the making of an  
2 18 anatomical gift if the decedent cannot be identified or if the  
2 19 next of kin of the decedent cannot be located and if several  
2 20 other conditions are met, including that a request has been  
2 21 made for the part, efforts have been made to inform a person

2 22 who has authority to make an anatomical gift, no refusal or  
2 23 contrary indication has been made by the decedent or a person  
2 24 with authority to refuse the making of an anatomical gift, no  
2 25 religious affiliation or tenet to which the decedent  
2 26 subscribed precludes the making of the anatomical gift, the  
2 27 removal will be made under specified conditions, and the death  
2 28 is not a death which affects the public interest or if it is a  
2 29 death which affects the public interest, any related  
2 30 investigation has been completed. If the medical examiner  
2 31 releases and permits removal of a part the medical examiner is  
2 32 to maintain a permanent record of the name of the decedent,  
2 33 the date and time of the release and the person to whom the  
2 34 release was made, and the parts which were removed.

2 35 LSB 3656SC 76

3 1 pf/sc/14