

STAND. COM. REP. NO. 458-08

Honolulu, Hawaii

Feb 15, 2008

RE: H.B. No. 2139
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2139
entitled:

"A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS,"

begs leave to report as follows:

The purpose of this bill is to revise and update the process
for organ donations for transplantation.

Specifically, this measure:

- (1) Directs the process for making anatomical gifts of a deceased person's body for the purposes of transplantation, therapy, research, or education;
- (2) Stipulates the manner by which such gifts can be made;
- (3) Establishes a priority list of persons who are reasonably available who may make an anatomical gift of a deceased person's body or part;
- (4) Limits the liability of persons who act on good faith in making the decision that a deceased person meant to make an anatomical gift; and
- (5) Prohibits falsification of records or fraudulent actions by a person trying to make a profit from anatomical gifts.

HB2139 HD1 HSCR HLT HMS 2008-1452




The Organ Donor Center of Hawaii and Commission to Promote Uniform Legislation supported this bill.

Your Committee has amended this bill by:

- (1) Requiring the medical examiner or coroner or designee to make a reasonable attempt to conduct a post-mortem examination of a body or a part in a manner and within a period compatible with its preservation for the purposes of a gift when a medical examiner or coroner has received notice from a procurement organization that an anatomical gift might be available or was made with respect to a decedent whose body is under the jurisdiction of the medical examiner or coroner; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2139, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,



JOSHUA B. GREEN, M.D., Chair



