

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1622** Session of  
1985

INTRODUCED BY BOOK, CESSAR, LANGTRY, E. Z. TAYLOR, DAWIDA,  
FLICK, DORR, SEMMEL, ROBBINS, MACKOWSKI, McVERRY, TELEK AND  
BOYES, SEPTEMBER 18, 1985

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, SEPTEMBER 18, 1985

AN ACT

1 Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An  
2 act providing for the administration of a statewide system of  
3 vital statistics; prescribing the functions of the State  
4 Department of Health, the State Advisory Health Board and  
5 local registrars; imposing duties upon coroners,  
6 prothonotaries, clerks of orphans' court, physicians,  
7 midwives and other persons; requiring reports and  
8 certificates for the registration of vital statistics;  
9 regulating the disposition of dead bodies; limiting the  
10 disclosure of records; prescribing the sufficiency of vital  
11 statistics records as evidence; prescribing fees and  
12 penalties; and revising and consolidating the laws relating  
13 thereto," requiring hospital administrators to request  
14 consent for anatomical gifts.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 502 of the act of June 29, 1953 (P.L.304,  
18 No.66), known as the Vital Statistics Law of 1953, amended  
19 November 21, 1967 (P.L.516, No.250), is amended by adding a  
20 clause to read:

21 Section 502. Death and Fetal Death Registration: Information  
22 for Certificates.--In preparing a certificate of death or fetal  
23 death, the person in charge of interment or of removal of a dead

body or fetal remains from the registration district shall obtain the required information. The following persons shall supply the information certified by their respective signatures:

\* \* \*

(3) Certification by the hospital administrator or supervisor, or a designee of either, that a request for consent to an anatomical gift was made; whether or not consent was granted; and the name of the person granting the consent and the person's relationship to the decedent.

Section 2. The act is amended by adding a section to read:

Section 507. Request for Anatomical Gifts; Training; Report to General Assembly.--(a) On or before the occurrence of death in a hospital, the hospital administrator or ranking official with supervisory power, or a designee of either, shall request: (1) the spouse, (2) an adult son or daughter, (3) either parent, (4) an adult brother or sister, (5) a guardian of the person of the decedent at the time of his death, or (6) any other person authorized or under obligation to dispose of the body, to consent to a gift of all or any part of the decedent's body for any purpose specified under 20 Pa.C.S. Ch. 86 (relating to anatomical gifts). The request and its disposition shall be noted in the patient's medical record and upon the patient's death certificate. Whenever medical criteria establishes that a body or body part donation would not be suitable for use, a request need not be made.

(b) Hospital employees designated to make requests for anatomical gift donations shall be given appropriate training conforming to guidelines established by the Secretary of Health, regulating the manner and conduct of employees making requests for anatomical gift donations. Each hospital shall develop a

protocol for identifying potential organ and tissue donors. It shall require that, at or near the time of notification of death, the deceased individual's next of kin or other authorized person be asked whether the deceased was an organ donor or if the family is a donor family. If not, the family shall be informed of the option to donate organs and tissues. With the approval of the designated next of kin or other authorized person, the hospital shall then notify an organ and tissue procurement organization and cooperate in the procurement of the anatomical gift or gifts. The protocol shall encourage discretion and sensitivity to family circumstances in all discussions regarding donations of tissue or organs. The protocol may take into account the deceased individual's religious beliefs or nonsuitability for organ and tissue donation. In the event an organ and tissue procurement organization does not exist in a region, the hospital shall contact an organ or a tissue procurement organization in an alternative region.

(c) The Secretary of Health shall establish regulations to implement efficient procedures facilitating the delivery of anatomical gift donations from receiving hospitals to potential recipients. The secretary shall perform a study of organ transplant services within the Commonwealth and shall submit a report of his findings to the General Assembly within two years of the effective date of this act.

Section 3. This act shall take effect in 60 days.