

AMENDMENTS TO HOUSE BILL NO. 1974

Sponsor: SENATOR SABATINA

Printer's No. 3139

1 Amend Bill, page 1, line 5, by striking out the period after
2 "directors" and inserting
3 ; and, in anatomical gifts, further providing for manner of
4 executing anatomical gifts.

5 Amend Bill, page 2, by inserting between lines 6 and 7

6 Section 2. Section 8613 of Title 20 is amended by adding a
7 subsection to read:

8 § 8613. Manner of executing anatomical gifts.

9 * * *

10 (g) Rights and protections for certain individuals.--

11 (1) An individual who is a candidate to receive an
12 anatomical gift shall not be deemed ineligible to receive an
13 anatomical gift solely because of the individual's physical
14 or mental disability, except to the extent that the physical
15 or mental disability has been found by a physician or surgeon
16 following an individualized evaluation of the potential
17 recipient to be medically significant to the provision of the
18 anatomical gift. If an individual has the necessary support
19 system to assist the individual in complying with
20 posttransplant medical requirements, an individual's
21 inability to independently comply with those requirements
22 shall not be deemed to be medically significant. The
23 provisions of this subsection shall apply to each part of the
24 organ transplant process.

25 (2) The court shall accord priority on its calendar and
26 expeditiously proceed with an action brought to seek any
27 remedy authorized by law for purposes of enforcing compliance
28 with the provisions of this section.

29 (3) The provisions of this section shall not be deemed
30 to require referrals or recommendations for, or the
31 performance of, medically inappropriate organ transplants.

32 (4) As used in this subsection, "disability" shall have
33 the same meaning as in the Americans with Disabilities Act of
34 1990 (Public Law 101-336, 104 Stat. 327).

35 Amend Bill, page 2, line 7, by striking out "2" and inserting

