

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1295 Session of  
1989

INTRODUCED BY SAURMAN, ROBINSON, TRELLO, GEIST, FOX AND VEON,  
APRIL 24, 1989

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 24, 1989

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 anatomical gifts; and making an editorial change.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 8604(d) of Title 20 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 8604. Manner of executing anatomical gifts.

9 \* \* \*

10 (d) Designation of person to carry out procedures.--  
11 Notwithstanding section 8607(b) (relating to rights and duties  
12 at death), the donor may designate in his will, card, or other  
13 document of gift the surgeon or physician to carry out the  
14 appropriate procedures. In the absence of a designation or if  
15 the designee is not available, the donee or other person  
16 authorized to accept the gift may employ or authorize any  
17 surgeon or physician for the purpose or, in the case of a gift  
18 of eyes, tissue removal or the drawing of blood, he may employ

1 or authorize a person who is a funeral director licensed by the  
2 State Board of Funeral Directors, an eye bank technician or  
3 medical student, if said person has successfully completed a  
4 course in eye enucleation or removal of tissue approved by the  
5 State Board of [Medical Education and Licensure] Medicine, or an  
6 eye bank technician or medical student trained under a program  
7 in the sterile technique for eye enucleation approved by the  
8 State Board of [Medical Education and Licensure] Medicine to  
9 enucleate eyes for an eye bank for the gift after certification  
10 of death by a physician. A qualified funeral director, eyebank  
11 technician or medical student acting in accordance with the  
12 terms of this subsection shall not have any liability, civil or  
13 criminal, for the eye enucleation.

14 \* \* \*

15 Section 2. This act shall take effect in 60 days.