

UNCLAIMED CADAVERS, DISTRIBUTION AND DISPOSITION
Act of Jun. 13, 1883, P.L. 119, No. 106
AN ACT

Cl. 35

For the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies.

Section 1. The professors, associate professors, and assistant professors in the department of anatomy, the head of the department of surgery, and the head of the department of pathology of each medical and dental school and each medical and dental college of this Commonwealth, which is now or may hereafter become incorporated, and the Secretary of Health of this Commonwealth shall be and hereby are constituted a board for the distribution and delivery of dead human bodies, hereinafter described, to and among such institutions and persons as, under the provisions of this act, are entitled thereto.

The said board shall have full power to establish rules and regulations for its government, and to appoint and remove proper officers, except that the Secretary of Health shall always be a member of the executive committee of said board, and shall keep full and complete minutes of its transactions; and records shall also be kept under its direction of all bodies received and distributed by said board, and of the persons to whom the same may be distributed, which minutes and records shall be open at all times to the inspection of each member of said board and of any district attorney of any county within this Commonwealth. The said board shall have full power to enter into contracts, make purchases, and perform such other acts as are necessary for the proper performance of its duties. All financial transactions of said board shall be audited annually by authority of, and by the Auditor General of the Commonwealth. A report of the activities of said board shall be made annually to the Secretary of Health of the Commonwealth, and to the deans of the medical and dental colleges represented in said board.

The name of said board of distribution shall be--Humanity Gifts Registry.

(1971 ACT 127 P.L. 520 SEC. 1)

Section 2. Notice To Board of Bodies in Institutions; Claims of Relations or Friends; Bodies of Soldiers, Sailors, and Marines; Burial of Paupers burial of paupers

All public officers, agents, and servants, and all officers, agents, and servants of any and every county, city, township, borough, district, and other municipality, and of any and every almshouse, prison, morgue, hospital, or other municipality, or other public institution, and all other persons, having charge or control over dead human bodies required to be buried at the public expense, are hereby required to notify immediately the said board of distribution, or such person or persons as may, from time to time, be designated by said board or its duly

authorized officer or agent, whenever any such body or bodies come to his or their possession, charge, or control; and shall, without fee or reward, deliver, within thirty-six hours after death, except those coroners' cases in which more time may be required, such body or bodies, and permit and suffer the said board and its agents to take and remove all such bodies to be used within the State for the advancement of medical science.

Such notice shall be given to the board of distribution in all cases, but no such body shall be delivered, if any relative by blood or marriage shall claim the body for burial, at the expense of such relative, within thirty-six hours after death, but the body shall be surrendered to said claimant for interment; nor shall any such body be delivered, if any friend, or any representative of a fraternal society of which deceased was a member, or a representative of any charitable organization, shall claim the said body for burial within thirty-six hours after death; said burial to be at the expense of such friend, fraternal society, or charitable organization; nor shall the body be delivered if said person was an honorably discharged soldier, sailor, or marine of the United States, or of the militia of the State of Pennsylvania; in which case said body shall be buried in accordance with the provisions of existing laws.

In case of the death of any person whose body is required to be buried at the public expense, and the duly authorized officer or agent of the board deems such body unfit for anatomical purposes, he shall notify in writing the county commissioners in counties of the first class and the executive officers of the county institution district in all other counties where such person died, and who shall direct some person to take charge of the body of such deceased indigent person, and cause it to be buried; and draw warrants upon the treasurer of their county for the payment of such expenses, which expenses shall not be more than fifty dollars in counties of the first class and second class, and not more than seventy-five dollars in all other counties on each body buried in accordance with the provisions of this act. Such warrants shall be made payable to the persons so authorized and directed, who shall have buried the bodies for which said warrants are to be drawn. No warrants for the payment of the expenses of the burial of any person whose body is required to be buried at the public expense shall be drawn or paid except upon the certificate of the duly authorized officer or agent of the board, to the effect that such body is unfit for anatomical purposes or that the body is that of a soldier, sailor, or marine of the United States or of the militia of the State of Pennsylvania required to be buried at the public expense, and that the provisions of this act have been complied with.

Wherever, through the failure of any person to notify and deliver the body of a deceased indigent as required by this act, such body shall become unfit for anatomical purposes, and is so certified by the duly authorized officer or agent of said board of distribution, such body shall be buried at the expense of the person so failing to notify and deliver such body. 1883, June 13, P.L. 119, Sec. 2; 1915, May 14, P.L. 479, Sec. 1; 1919, May

14, P.L. 506, Sec. 2; 1919, May 8, P.L. 152, Sec. 1; 1921, April 20, P.L. 167, Sec. 1; 1937, April 22, P.L. 411, Sec. 2; 1939, June 15, P.L. 369, Sec. 1; 1945, May 18, P.L. 701, No. 303, Sec. 1.

Section 3. Distribution of Bodies Regulated

The said board, or their duly authorized agent, may take and receive such bodies so delivered as aforesaid, and shall, upon receiving them, distribute and deliver them proportionally and equitably to and among the medical and dental schools and medical and dental colleges of the Commonwealth. If additional bodies are available beyond the needs of the medical and dental schools and colleges of the Commonwealth, such bodies may be distributed upon request to physicians and surgeons and to other schools and colleges giving courses in science in which the use of cadaveric material would be advantageous, or may be loaned for demonstration or examination purposes to the State Examining Boards, and to recognized associations of licensed undertakers. The cost of such bodies, including preparation, special handling, and a proportionate share of the overhead cost of the board, shall be collected by said board from such physicians, surgeons, schools, colleges, State Examining Boards, and associations of licensed undertakers, to whom or to which bodies are distributed or loaned. 1883, June 13, P.L. 119, Sec. 3; 1897, April 29, P.L. 36, Sec. 1; 1921, April 20, P.L. 167, Sec. 2; 1937, April 22, P.L. 411, Sec. 3.

Section 4. Employment of Carriers

The said board may employ a carrier or carriers for the conveyance of said bodies, which bodies shall be well enclosed within a suitable encasement, and carefully deposited free from public observation. Said carrier shall give a receipt containing the name of the person, or if the person be unknown a description of each body received by him, and shall deposit a duplicate receipt with secretary of said board. 1883, June 13, P.L. 119, Sec. 4; 1937, April 22, P.L. 411, Sec. 4.

Section 5. Schools to Give Bond Before Receiving Bodies

No university, school, college, physician, surgeon, or association shall be allowed or permitted to receive any such body or bodies until a bond, approved as to form by the Attorney General, shall have been given to the board by such physician or surgeon, or by or in behalf of such university, school, college, or association, which bond shall be in the penal sum of one thousand dollars, conditioned that all such bodies which the said physician or surgeon, or the said university, school, college, or association shall receive thereafter shall be used only for the promotion of medical science within this State, and whosoever shall sell or buy such body or bodies, or part or parts of such body or bodies, or in any way traffic in the same, or shall transmit or convey or cause to procure to be transmitted or conveyed said body or bodies, or part or parts of such body or bodies, to any place outside of this State, shall be deemed guilty of a misdemeanor, and shall on conviction, be liable to a fine not exceeding two hundred dollars, or be imprisoned for a term not exceeding one year; but this section shall not be construed as prohibiting any physician or dentist licensed to practice medicine in the Commonwealth of

Pennsylvania, or the members of the board, from transporting human specimens outside of the State for their temporary use at scientific meetings or exhibits. 1883, June 13, P.L. 119, Sec. 5; 1937, April 22, P.L. 411, Sec. 5.

Section 6. Expenses of Delivery; Payment by Receivers of Bodies; Use of Funds by Board

Neither the Commonwealth nor any county or municipality, nor any almshouse, prison, morgue, hospital, or other public institution, nor any officer, agent or servant thereof, nor any person or persons having possession of an unclaimed dead human body, shall be at any expense by reason of the delivery or distribution of any such body, but all the expenses thereof and of said board of distribution, except as provided in section three of this act, shall be paid equitably by universities, schools, and colleges regularly receiving the bodies, under such rules and regulations as the board may, from time to time, provide. All moneys received or collected by the board under this act shall be used by the board for the payment of all expenses incurred in the performance of its duties under this act. 1883, June 13, P.L. 119, Sec. 6; 1931, June 1, P.L. 316, Sec. 1; 1933, May 22, P.L. 849, Sec. 1; 1937, April 22, P.L. 411, Sec. 6.

Section 7. Punishment for Violation of Act

Any person having duties enjoined upon him by the provisions of this act, who shall neglect, refuse or omit to perform the same as hereby required, shall on conviction thereof, be liable to fine of not less than one hundred nor more than five hundred dollars for each offense. 1883, June 13, P.L. 119, Sec. 7.