

authorization before death, for post-mortem medical examinations AND STUDY and post-mortem transplantations of bodily tissues and organs, and further providing for the revocation of the authorization.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 149 of Article 43 of the Annotated Code of Maryland (1957 Edition), title "Health", sub-title "Practitioners of Medicine", be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

149. Consent to post-mortem examination.

(a) Written or telegraphic consent for a doctor of medicine to conduct a post-mortem examination of the body of a deceased person shall be deemed sufficient when given by whichever one of the following assumes custody of the body for purposes of burial: Father, mother, husband, wife, child, guardian, next of kin, or in absence of any of the foregoing, a person who assumes the duty of legal disposal of the body. If two or more of such persons assume custody of the body, consent of one of them shall be deemed sufficient.

*(b) Any person who is twenty-one (21) years of age or older and of sound mind may execute an instrument in writing substantially in the form provided in sub-section (d) herein, duly notarized, which provides for the post-mortem examination of his body by a doctor of medicine or the removal of tissue or organs of his body by a doctor of medicine for transplantation to the body of a living person OR THE USE OF HIS BODY FOR MEDICAL EDUCATION AND RESEARCH. This instrument shall be sufficient authority, when presented to a doctor of medicine OR THE STATE ANATOMY BOARD, to authorize the post-mortem examination AND STUDY of the body or the removal of tissue or organs from the body of the person executing the instrument. The disposition of said body or portion thereof may be made only for the purpose of advancement of medical science or for the replacement or rehabilitation of the tissues or organs of another person.*

(B) ANY PERSON WHO IS TWENTY-ONE (21) YEARS OF AGE OR OLDER AND OF SOUND MIND MAY EXECUTE AN INSTRUMENT IN WRITING AS PROVIDED IN SUB-SECTION (E) HEREIN, DULY NOTARIZED, WHICH PROVIDES FOR THE POST-MORTEM EXAMINATION OF HIS BODY OR THE REMOVAL OF TISSUE OR ORGANS OF HIS BODY FOR TRANSPLANTATION TO THE BODY OF A LIVING PERSON BY A DOCTOR OF MEDICINE WITHIN THE DEFINITION SET OUT BY SUBSECTION (C) HEREIN. THIS INSTRUMENT SHALL BE SUFFICIENT AUTHORITY, WHEN PRESENTED TO SAID DOCTOR OF MEDICINE TO AUTHORIZE THE POST-MORTEM EXAMINATION OF THE BODY OR THE REMOVAL OF TISSUE OR ORGANS FROM THE BODY OF THE PERSON EXECUTING THE INSTRUMENT. THE DISPOSITION OF SAID BODY OR PORTION THEREOF MAY BE MADE ONLY FOR THE PURPOSE OF ADVANCEMENT OF MEDICAL SCIENCE OR FOR THE REPLACEMENT OR REHABILITATION OF THE TISSUES OR ORGANS OF ANOTHER PERSON. ANY AUTHORIZATION OR INSTRUMENT EXECUTED UNDER THE TERMS OR PROVISIONS OF THIS ACT SHALL BE NULL AND VOID IF OBTAINED FOR A MONETARY CONSIDERATION.