

the development of reconstructive medicine and surgery and the development of medical research by facilitating pre-mortem and post-mortem authorizations for donations of tissue and organs. It is the purpose of this Act to regulate only the gift of a body or parts of a body to be made after the death of a donor.

149F. Definitions.

(a) *Person.*—Means individual, corporation, government or governmental agency or subdivision, estate, trust, partnership or association, or any other legal entity.

(b) *Body or part of body.*—Includes organs, tissues, bones, blood and other body fluids, and “part” includes “parts”.

(c) *Licensed hospital.*—Includes any hospital licensed by the State Board of Health and Mental Hygiene under the laws of this State, and any hospital operated by the United States government, although not required to be licensed under the laws of the State of Maryland.

(d) *Licensed physician or surgeon.*—Means any physician or surgeon licensed to practice under the laws of this State.

149G. Persons who may execute an anatomical gift.

(a) *Any individual who is over the age of twenty-one (21) years of age and who is competent to execute a will may give all or any part of his body for any one or more of the purposes specified in this Act, the gift to take effect after death.*

(b) *Unless he has knowledge that contrary directions have been given by the decedent, the following persons, in the order of priority stated, may give all or any part of a decedent's body for any one or more of the purposes specified in this Act:*

(1) *the spouse, if one survives;*

(2) *an adult son or daughter;*

(3) *either parent;*

(4) *an adult brother or sister;*

(5) *the guardian of the person of the decedent at the time of his death;*

(6) *any other person or agency authorized or under obligation to dispose of the body.*

If there is no surviving spouse and an adult son or daughter is not immediately available at the time of death of a decedent, the gift may be made by either parent. If a parent of decedent is not immediately available, the gift may be made by any adult brother or sister of decedent. But, if there is known to be a controversy within the class of persons first entitled to make the gift, the gift shall not be accepted. The persons authorized by this subsection to make the gift may execute the document of gift either after death, or during a terminal illness. The decedent may be a minor or a still-born infant.

(c) *If the gift is made by a person designated in Section 149G(b) of this Act, it shall be by written or telegraphic consent.*