4-508. RIGHTS OF NEXT OF KIN AND DONEE.

(A) ACCEPTANCE OR REJECTION OF GIFT AND CUSTODY OF
BODY OF DECEDENT.

THE DONEE MAY ACCEPT OR REJECT THE GIFT. IF THE
GIFT IS ONLY A PART OF THE BODY, PROMPTLY FOLLOWING THE
REMOVAL OF THE PART NAMED, CUSTODY OF THE REMAINING PARTS
OF THE BODY SHALL BE TRANSFERRED TO THE NEXT OF KIN OR
OTHER PERSON OR AGENCY AUTHORIZED OR UNDER OBLIGATION TO
DISPOSE OF THE BODY.   THE TIME OF DEATH SHALL BE
DETERMINED BY THE PHYSICIAN IN ATTENDANCE UPON THE
TERMINAL ILLNESS OF THE DONOR OR CERTIFYING HIS DEATH,
AND THE PHYSICIAN MAY NOT BE A MEMBER OF THE TEAM OF
PHYSICIANS   WHICH   TRANSPLANTS   THE PART TO ANOTHER
INDIVIDUAL.

(B) NO CIVIL OR CRIMINAL LIABILITY FOR UNKNOWINGLY
VIOLATING SUBTITLE.

A PERSON WHO, IN GOOD FAITH AND ACTING IN RELIANCE
UPON AN AUTHORIZATION MADE UNDER THE PROVISIONS OF THIS
SUBTITLE OR UNDER THE ANATOMICAL GIFT LAWS OF ANOTHER
STATE OR FOREIGN COUNTRY AND WITHOUT NOTICE OF
REVOCATION, TAKES POSSESSION OF, PERFORMS SURGICAL
OPERATIONS UPON, OR REMOVES TISSUE, SUBSTANCES, OR PARTS
FROM THE HUMAN BODY OR REFUSES THE GIFT, OR A PERSON WHO
UNKNOWINGLY FAILS TO CARRY OUT THE WISHES OF THE DONOR
ACCORDING TO THE PROVISIONS OF THIS SUBTITLE OR UNDER THE
ANATOMICAL GIFT LAWS OF ANOTHER STATE OR FOREIGN COUNTRY,
IS NOT SUBJECT TO PROSECUTION IN ANY CRIMINAL PROCEEDINGS
OR LIABLE FOR DAMAGES IN A CIVIL ACTION BROUGHT AGAINST
HIM FOR THE ACT OR FAILURE TO ACT.

(C) EFFECT OF LAWS CONCERNING AUTOPSIES.

THE PROVISIONS OF THIS SUBTITLE ARE SUBJECT TO THE
LAWS PRESCRIBING POWERS AND DUTIES WITH RESPECT TO
AUTOPSIES AND ARE NOT IN CONTRAVENTION OF THEM.

REVISOR'S NOTE: This section presently appears as
        Art. 43, §147. The only changes are in
        language and style.

4-509. PROVISIONS FOR THE TRANSPLANT OF AN ORGAN.

(A) REQUIREMENTS.

IN ANY CASE WHERE A PATIENT IS IN IMMEDIATE NEED FOR
AN INTERNAL ORGAN AS A TRANSPLANT, THE CHIEF MEDICAL
EXAMINER, THE DEPUTY CHIEF, OR THE ASSISTANT MEDICAL
EXAMINERS MAY PROVIDE THE ORGAN UPON THE REQUEST OF THE
TRANSPLANTING SURGEON UNDER THE FOLLOWING CONDITIONS: