

(2) IF A PERSON DOES NOT ASSUME CONTROL OF A BODY UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE CONSENT MAY BE GIVEN BY THE STATE ANATOMY BOARD.

(C) FORM OF CONSENT.

THE CONSENT MAY BE IN THE FORM OF:

- (1) A WRITTEN DOCUMENT;
- (2) A TELEGRAM; OR
- (3) A RECORDED TELEPHONIC OR OTHER RECORDED MESSAGE.

REVISOR'S NOTE: Subsections (a), (b)(1), and (c) of this section are new language derived without substantive change from former Article 43, § 131.

Subsection (b)(2) of this section is new language added to provide expressly for occasions when a body is unclaimed and, thus, comes under the control of the State Anatomy Board. This addition reflects the actual practice of the Board.

In subsection (a) of this section, the defined term "physician" is substituted for the phrase "doctor of medicine or doctor of osteopathy". This substitution clarifies that consent is given for a postmortem examination by an individual who is authorized to practice medicine, rather than by an individual who holds only a degree. It also reflects that physicians hold degrees other than "doctor of medicine"; -- e.g., since Ch. 238, Acts of 1981 repealed the provisions for separate licensing as a doctor of osteopathy, individuals who practice osteopathy now must be licensed as physicians.

In subsection (b)(1) of this section, the phrase "for its final disposition" is substituted for the phrases "for purposes of burial" and "legal disposal of the body" to encompass dispositions such as cremation and to conform to similar references elsewhere in this article.

Defined terms: "Body" § 5-101  
 "Person" § 1-101 "Physician" § 1-101

5-502. CREMATION -- REQUIRED IDENTIFICATION AND AUTHORIZATION.

(A) SCOPE OF SECTION.