Section 19–310

Annotated Code of Maryland

(1990 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Estates and Trusts

4–504.

(a)   The persons listed in this section are eligible to receive gifts of human bodies or parts of them for the purposes stated.

(b)   (1)   Any licensed hospital, surgeon, or physician may receive a gift for medical education, research, advancement of medical science, therapy, or transplantation to individuals.

(2)   A LICENSED HOSPITAL, SURGEON, OR PHYSICIAN THAT RECEIVES A GIFT FOR THE PURPOSE OF A TRANSPLANTATION MAY NOT BILL THE ESTATE OF THE DONOR, A SURVIVING SPOUSE OF THE DONOR, ANY HEIRS OF THE DONOR, OR AN INSURER OF THE DONOR FOR THE COSTS ASSOCIATED WITH THE REMOVAL OF THE GIFT.

(c)   An accredited medical school, college, or university engaged in medical education or research may receive a gift for therapy, educational research, or medical science purposes.

(d)   Any licensed person operating a bank or storage facility for blood, arteries, eyes, pituitaries, or other human parts may receive a gift for use in medical education, research, therapy, or transplantation to individuals.

(e)   Any specified donee may receive a gift for therapy or transplantation needed by him.

Article – Health – General

19–310.

(a)   (1)   In accordance with § 5–202 of this article, when an individual dies in a hospital, the hospital administrator or a designee of the hospital administrator shall request, with sensitivity, in the order of stated priority, that the individual's representative consent to the donation of all or any of the decedent's organs or tissues as an anatomical donation if suitable.

(2)   For the purposes of paragraph (1) of this subsection, the representative of the deceased individual is 1 of the following individuals listed in the following order of priority:

(i)   A spouse, but, if not alive or not competent, then;

(ii)   .A son or daughter who is at least 18 years old, but, if not alive or not competent, then;