

(2) THE DECEDENT HAS CONSENTED TO THE GIFT OF ALL OR ANY PART OF THE DECEDENT'S BODY IN ACCORDANCE WITH THE PROVISIONS OF:

(I) § 5-604.1 OF THIS ARTICLE; OR

(II) TITLE 4, SUBTITLE 5 OF THE ESTATES AND TRUSTS ARTICLE.

[(h)](K) A [health care practitioner or a health care facility, including any designated employee or agent of a health care facility, acting] PERSON WHO ACTS in good faith to recover organs or tissues [pursuant to] IN ACCORDANCE WITH a notation on the decedent's driver's license or identification card that the decedent is an organ donor, [may not be held liable] A GIFT MADE IN ACCORDANCE WITH § 5-604.1 OF THIS ARTICLE OR TITLE 4, SUBTITLE 5 OF THE ESTATES AND TRUSTS ARTICLE, OR A GIFT MADE IN ACCORDANCE WITH THE ANATOMICAL GIFT LAWS OF ANOTHER STATE OR COUNTRY IS IMMUNE FROM CRIMINAL PROSECUTION AND LIABILITY FOR DAMAGES in any cause of action related to the recovery and donation of the decedent's organs or tissues.

[(i)] The provisions of this section do not apply if the decedent has consented to the gift of all or any part of the decedent's body in accordance with the provisions of:

(1) § 5-604.1 of this article; or

(2) Title 4, Subtitle 5 of the Estates and Trusts Article.]

(L) THE DEPARTMENT SHALL CONDUCT ANNUAL DEATH RECORD REVIEWS AT EACH HOSPITAL TO DETERMINE THE HOSPITAL'S COMPLIANCE WITH THE PROVISIONS OF THIS SECTION. THE DEPARTMENT MAY DELEGATE ITS DUTY TO CONDUCT ANNUAL DEATH RECORD REVIEWS TO THE APPROPRIATE ORGAN, TISSUE, OR EYE RECOVERY AGENCY SERVING THE REGION IN WHICH A PARTICULAR HOSPITAL IS LOCATED.

Article - Transportation

12-303.

(a) [In this section, "driver's license" does not include any temporary license or learner's permit.

(b) The Administration shall provide for a method by which an applicant for a driver's license or identification card can designate that the applicant consents to the gift of all body organs or parts for the purposes of transplantation, therapy, or medical research and education.

[(c)](B) If an applicant designates that he is such a donor, the Administration may make a notation of this fact on the driver's license or identification card issued to the applicant.

[(d)](C) The donor designation noted on the driver's license or identification card:

(1) Is sufficient legal authority for the removal of a body organ or part on the death of the donor; and