

SECTION 7. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 14, 1998.

CHAPTER 2

(House Bill 318)

AN ACT concerning

The William H. Amoss Organ and Tissue Donation Act of 1998

FOR the purpose of clarifying that certain provisions of law authorizing certain persons to give all or part of a decedent's body apply if the decedent has not made a gift of all or part of the decedent's body for purposes of the Maryland Anatomical Gift Act; authorizing certain friends and relatives to give all or part of a decedent's body under certain circumstances; specifying that the failure of a decedent to make a gift is not a contrary direction for certain purposes; adding a witness telephone statement to the ways in which an anatomical gift may be made; authorizing certain persons and entities to examine a decedent and the decedent's medical records and to conduct certain inquiries for certain purposes; adding certain organ procurement organizations to the list of persons eligible to receive gifts of human bodies or parts; specifying that a gift of all or part of a body for purposes of the Maryland Anatomical Gift Act may be made by a designation on the donor's driver's license or identification card; specifying the manner in which a gift made by a designation on the donor's driver's license or identification card may be revoked; modifying certain provisions of law governing acceptance and utilization of anatomical gifts; authorizing certain medical examiners to provide certain organs or tissues upon the request of certain organ procurement organizations and certain tissue banks; altering the conditions under which organs or tissues may be provided; altering certain immunity provisions; authorizing a health care provider to disclose a medical record without the authorization of a person in interest to the Department of Health and Mental Hygiene and certain organ, tissue, or eye recovery agencies for certain purposes; adding certain language concerning organ and tissue donation to certain statutory health care decision making forms; requiring hospitals to contact an appropriate organ, tissue, or eye recovery agency in order to determine a patient's suitability for organ, tissue, or eye donation on or before each death in a hospital; requiring the contact and its disposition to be noted in the patient's medical record; requiring the appropriate organ, tissue, or eye recovery agency, in consultation with the patient's physician or the physician's designee, to determine the patient's suitability for organ, tissue, or eye donation; requiring a representative of the appropriate organ, tissue, or eye recovery agency or a designated requestor to request that certain persons consent to the