

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1556 be amended to read as follows:

- 1 Page 2, delete lines 26 through 42, begin a new paragraph and insert:
- 2 "SECTION 3. IC 29-2-16-4.5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a) A coroner ~~may~~
- 4 ~~release and permit~~ **shall attempt to facilitate permission for** the
- 5 removal of a ~~part from a body~~ **organs, tissues, or eyes** within the
- 6 coroner's custody, for transplantation, therapy, ~~only,~~ **or research by**
- 7 **providing information to or seeking information from the**
- 8 **procurement organization that would assist the procurement**
- 9 **organization in the evaluation of the viability for transplantation**
- 10 **of any organ, tissue, or eye** if all of the following occur:
- 11 (1) The coroner receives a request ~~for a part~~ from a hospital,
- 12 physician, surgeon, or procurement organization.
- 13 (2) The coroner makes a reasonable effort, taking into account the
- 14 useful life of a part, to locate and examine the decedent's medical
- 15 records and inform individuals listed in section 2(b) of this chapter
- 16 of their option to make or object to making a gift under this
- 17 chapter.
- 18 (3) **The decision to allow the removal of organs, tissues, or**
- 19 **eyes is based on a medical decision made by the pathologist or**
- 20 **forensic pathologist. If the pathologist or forensic pathologist**
- 21 **considers withholding one (1) or more organs or tissues of a**
- 22 **potential donor, the pathologist or forensic pathologist:**
- 23 (A) **shall be present during the removal of the organs or**
- 24 **tissues;**
- 25 (B) **may request a biopsy of the removed organs; and**

- 1 **(C) after viewing the removed organs or tissues and**
 2 **determining that removal may interfere with the death**
 3 **investigation, may prohibit removal and shall provide a**
 4 **written explanation to the procurement organization.**
 5 **If it is determined that prior removal will interfere with the**
 6 **death investigation, the procurement organization may**
 7 **remove the tissues and eyes after the autopsy.**
 8 ~~(3)~~ **(4) The coroner does not know of a refusal or contrary**
 9 **indication by the decedent or an objection by an individual having**
 10 **priority to act as listed in section 2(b) of this chapter.**
 11 ~~(4)~~ **(5)The removal will be by:**
 12 (A) a physician licensed under IC 25-22.5; or
 13 (B) in the case of removal of an eye or part of an eye, by an
 14 individual described in section 4(e) of this chapter; and under
 15 IC 36-2-14-19.
 16 ~~(5)~~ **(6) The removal will not interfere with any autopsy or**
 17 **investigation.**
 18 ~~(6)~~ **(7) The removal will be in accordance with accepted medical**
 19 **standards.**
 20 ~~(7)~~ **(8) Cosmetic restoration will be done, if appropriate.**
 21 **(9) If the pathologist or forensic pathologist is required to be**
 22 **present to examine the decedent before or during the removal**
 23 **of the parts, the procurement organization shall reimburse the**
 24 **pathologist or forensic pathologist for actual costs, but the**
 25 **amount may not exceed one thousand dollars (\$1,000). The**
 26 **county is not responsible for any costs incurred by the**
 27 **pathologist, forensic pathologist, or procurement organization**
 28 **under this subdivision.**
 29 **(10) If requested by the coroner, pathologist, or forensic**
 30 **pathologist, the procurement organization shall provide a**
 31 **surgeon's report detailing the condition of the organs and the**
 32 **relationship of the organs to the cause of death, if any.**
 33 (b) If the body is not within the custody of the coroner, the ~~medical~~
 34 ~~examiner pathologist or forensic pathologist~~ may release and permit
 35 the removal of any part from a body in the ~~medical examiner's~~ custody
 36 for transplantation or therapy if the requirements of subsection (a) are
 37 met.
 38 (c) A person under this section who releases or permits the removal
 39 of a part shall maintain a permanent record of the name of the decedent,
 40 the individual making the request, the date and purpose of the request,
 41 the body part requested, and the person to whom it was released."
 42 Delete page 3.
 43 Page 4, delete line 1.
 (Reference is to HB 1556 as printed February 18, 2005.)

