
A BILL FOR AN ACT

RELATING TO ANATOMICAL GIFTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to save lives,
2 improve the quality of life for those in Hawaii who need organ
3 transplants, and enhance the quality of medical education in
4 Hawaii by ensuring that the wishes of individuals desiring to
5 provide anatomical gifts on behalf of a decedent are fulfilled.

6 SECTION 2. Section 327-10, Hawaii Revised Statutes, is
7 amended by amending subsection (b) to read as follows:

8 "(b) Subject to subsection (c), an anatomical gift by a
9 person authorized under section 327-9 may be amended or revoked
10 orally or in a record by any member of a prior class who is
11 reasonably available[-]; provided that any response other than
12 an express, contrary indication regarding the decedent's
13 anatomical gift shall prohibit amendment or revocation of an
14 anatomical gift of the decedent's body or body parts. If more
15 than one member of the prior class is reasonably available, the
16 gift made by a person authorized under section 327-9 may be
17 amended or revoked only if a majority of the reasonably
18 available members of that class agree to the amending or



1 ~~revoking of the gift [or they are equally divided as to whether~~
2 ~~to amend or revoke an anatomical gift.];~~ provided that any
3 response other than an express, contrary indication by the
4 majority of the reasonably available members of that class
5 regarding the decedent's anatomical gift shall prohibit
6 amendment or revocation of an anatomical gift of the decedent's
7 body or body parts."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Anatomical Gifts

Description:

Establishes that, when an authorized person other than the decedent approves an anatomical gift of the decedent's body or body parts, only an express statement by a person or persons authorized to amend or revoke the earlier approval will amend or revoke that decision. (HB2661 CD1)

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