

Regulations of Connecticut State Agencies

TITLE 19a. Public Health and Well-Being

Agency

Department of Public Health

Subject

Anatomical Gifts

Inclusive Sections

§§ 19a-2791-1—19a-2791-5

CONTENTS

Sec. 19a-2791-1.	Definitions
Sec. 19a-2791-2.	Documentation
Sec. 19a-2791-3.	Notification and search
Sec. 19a-2791-4.	Record keeping
Sec. 19a-2791-5.	Coordination agreements

Anatomical Gifts

Sec. 19a-279l-1. Definitions

As used in Sections 19a-279l-1 through 19a-279l-4 inclusive, the following terms mean as stated in Section 19a-279a of Connecticut General Statutes:

- (a) “Anatomical Gift”
- (b) “Decedent”
- (c) “Document of Gift”
- (d) “Donor”
- (e) “Hospital”
- (f) “Part”
- (g) “Person”
- (h) “Physician” or “Surgeon”
- (i) “Procurement Organization”
- (j) “State”
- (k) “Technician”

(Effective February 26, 1990)

Sec. 19a-279l-2. Documentation

(a) A person who is at least eighteen years of age may make, amend, revoke or refuse to make an anatomical gift in accordance with section 19a-279b of the Connecticut General Statutes.

(b) If there is no medical record of a patient’s intention regarding an anatomical gift and the patient is at or near the time of death, the hospital administrator or the administrator’s designee shall:

- (1) discuss with the patient or the patient’s authorized representative the making or refusal to make an anatomical gift;
- (2) request the making of such gift unless the gift is not suitable based on accepted medical standards;
- (3) enter into the patient’s medical record:
 - (A) name and affiliation of requester;
 - (B) name, response and relationship to patient of person to whom request was made.

(Effective February 26, 1990; Amended December 29, 2000)

Sec. 19a-279l-3. Notification and search

(a) Upon admission of a person who is at or near the time of death, the hospital shall make a reasonable search for a document of gift or other information identifying the bearer as a donor or as a person who has refused to make an anatomical gift, unless such information is otherwise immediately available.

(b) The hospital shall notify the named donee if one is named and known to the hospital; if not, it shall notify an appropriate procurement organization and cooperate in

Regulations of Connecticut State Agencies

TITLE 19a. Public Health and Well-Being

§19a-279l-4

Department of Public Health

implementation of the anatomical gift or release and removal of a part if the hospital knows that:

(1) any member of an authorized class of persons has made an anatomical gift of all or part of the body of a person pursuant to section 19a-279c of the Connecticut General Statutes:

(A) The order of priority of the authorized classes is:

- (i) spouse;
- (ii) adult son or daughter;
- (iii) either parent;
- (iv) adult brother or sister;
- (v) grandparent;
- (vi) guardian of the person;
- (vii) any person legally authorized to make health care decisions for the decedent prior to death, including but not limited to a health care agent;
- (viii) conservator of the person.

(B) An anatomical gift may be made by a person listed in subparagraph (A) above only if:

- (i) a person in a prior class is not available; and
- (ii) the person proposing the gift does not know of any contrary indications by the decedent, and
- (iii) the person proposing the gift does not know of any objection by a member of that person's class or a prior class.

(2) release or removal of a body part has been permitted under the auspices of the Chief Medical Examiner serving as facilitator for tissue harvesting and organ procurement, or

(3) a person in transit to the hospital is such a donor.

(c) An emergency medical services provider, as defined in section 19a-179-1 (g) of the Regulations of Connecticut State Agencies, finding a person who the emergency medical services provider believes to be dead or near death shall conduct a reasonable search for a document of gift or other information identifying the bearer as a donor or as a person who has refused to make an anatomical gift. The searcher shall send or cause to be sent to the hospital any document or other evidence relating to the making of an anatomical gift.

(Effective February 26, 1990; Amended December 29, 2000)

Sec. 19a-279l-4. Record keeping

(a) The document of gift, or a copy, may be deposited in any hospital.

(b) The medical records department shall establish a policy/procedure to release either appropriate information regarding the document of gift or the document of gift itself to a designated donee.

(c) The hospital shall maintain a system to ensure that if a document of gift is deposited, it will be retained in the medical records department and available, as the original or a copy

Regulations of Connecticut State Agencies

TITLE 19a. Public Health and Well-Being

Department of Public Health

§19a-279l-5

thereof, to any designated donee.

(Effective February 26, 1990)

Sec. 19a-279l-5. Coordination agreements

Agreements or affiliations for coordination of procurement and use of human bodies and parts shall be in writing. A copy shall be maintained by each party to the agreement, and made available to the Department of Health Services on request.

(Effective February 26, 1990)