

ENROLLMENT(S)

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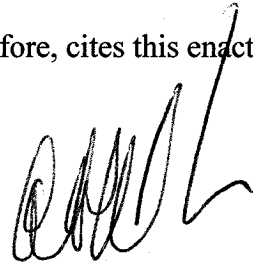
COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. LAW 11-125

"Anatomical Gift Amendment Act of 1996".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 11-317 on first and second readings, February 6, 1996 and March 5, 1996 respectively. Following the signature of the Mayor on March 15, 1996, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-232 and published in the March 29, 1996, edition of the D.C. Register (Vol. 43 page 1548) and transmitted to Congress on March 29, 1996 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-125, effective May 24, 1996.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

| | |
|-------|---|
| March | 29 |
| April | 15,16,17,18,19,22,23,24,25,26,29,30 |
| May | 1,2,3,6,7,8,9,10,13,14,15,16,17,20,21,22,23 |

AN ACT

D. C. ACT 11-232

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 15, 1996

*Codification
District of
Columbia
Code
1997 Supp.*

To amend the District of Columbia Anatomical Gift Act to authorize hospitals to use organ preservation equipment and techniques in order to preserve the option of family members and other authorized persons to consent to an anatomical gift on behalf of patients who die.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Anatomical Gift Amendment Act of 1996".

Sec. 2. The District of Columbia Anatomical Gift Act, approved May 26, 1970 (84 Stat. 266; D.C. Code § 2-1501 *et seq.*), is amended as by adding a new section 10a to read as follows:

*New Section
2-1509.1*

"Sec. 10a. Organ preservation.

"(a) In the event a person authorized by section 2(b) to consent to an anatomical gift of all or part of the decedent's body is not immediately available for a representative of a hospital to make the request required by section 10, the hospital may use organ preservation equipment and techniques, including ventilators and in situ flushing and cooling equipment, to maintain the viability of the decedent's organs in order to preserve the option of family members and other authorized persons to consider donation.

"(b) In the event a hospital initiates the preservation of a decedent's organs pursuant to subsection (a) of this section, the hospital shall use all available means to locate a person authorized by section 2(b) to consent to an anatomical gift. If a person authorized by section 2(b) to consent to an anatomical gift cannot be located within a time period deemed reasonable by a designated medical professional, or declines to consent to an anatomical gift, the organ preservation procedure shall be discontinued.

"(c) A person authorized by section 2(b) to donate all or any part of a decedent's body shall be given full disclosure of preservation techniques or preservation equipment used, if any.

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"(d) In the absence of gross negligence or willful misconduct, any person employed or authorized by a hospital to utilize organ preservation techniques pursuant to subsection (a) of this section shall be immune from any civil or criminal liability in connection with taking the medically necessary steps to preserve a decedent's organs during the search for, or consultation with, a person authorized by section 2(b) to consent to an anatomical gift.

"(e) Neither a decedent nor relative or guardian of a decedent shall pay any costs associated with organ preservation.

"(f) A hospital that initiates organ preservation pursuant to subsection (a) of this section shall bear all costs associated with the organ preservation upon the happening of any of the following:

"(1) The recipient of the preserved organ is indigent;

"(2) A person authorized by section 2(b) to consent to an anatomical gift cannot be located within a time period deemed reasonable by a designated medical professional; or

"(3) A person authorized by section 2(b) to consent to an anatomical gift does not consent to an anatomical gift of all or part of a decedent's body."

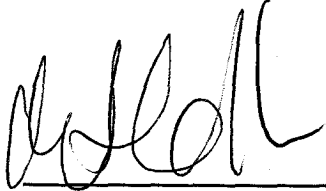
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

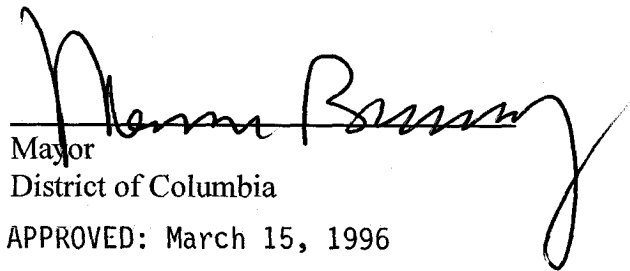
Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Authority Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(c)), and a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-

ENROLLED ORIGINAL

Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: March 15, 1996



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-317

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 02-06-96

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ABSENT

ALL PRESENT

ROLL CALL VOTE - Result

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Clarke | | | | | Jarvis | | | | | Smith, Jr. | | | | |
| Brazil | | | | | Lightfoot | | | | | Thomas, Sr. | | | | |
| Chavous | | | | | Mason | | | | | Whittington | | | | |
| Cropp | | | | | Patterson | | | | | | | | | |
| Evans | | | | | Ray | | | | | | | | | |

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Angie Lee
Secretary to the Council

March 6, 1996
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 03-05-96

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ABSENT

RAY

ROLL CALL VOTE - Result

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Clarke | | | | | Jarvis | | | | | Smith, Jr. | | | | |
| Brazil | | | | | Lightfoot | | | | | Thomas, Sr. | | | | |
| Chavous | | | | | Mason | | | | | Whittington | | | | |
| Cropp | | | | | Patterson | | | | | | | | | |
| Evans | | | | | Ray | | | | | | | | | |

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Angie Lee
Secretary to the Council

March 6, 1996
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

| Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB |
|---------------|-----|-----|----|----|---------------|-----|-----|----|----|---------------|-----|-----|----|----|
| Chmn. Clarke | | | | | Jarvis | | | | | Smith, Jr. | | | | |
| Brazil | | | | | Lightfoot | | | | | Thomas, Sr. | | | | |
| Chavous | | | | | Mason | | | | | Whittington | | | | |
| Cropp | | | | | Patterson | | | | | | | | | |
| Evans | | | | | Ray | | | | | | | | | |

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date