

NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 974
HOUSE BILL 68

AN ACT TO ESTABLISH A COORDINATED HUMAN TISSUE DONATION PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. A new Article is added to Chapter 130 of the General Statutes to read as follows:

"Article 26A.

"Coordinated Human Tissue Donation Program.

"§ 130-235.1. Legislative findings and purpose. — The General Assembly of North Carolina finds that there is an increasing need for human tissues for transplantation purposes; that there is a continuing need for human tissues, including entire human cadavers, for the purposes of medical education and research; and that these needs are not being sufficiently filled at the present because of, among other reasons, a shortage of human tissue donors. The General Assembly establishes this program to facilitate the acquisition and distribution of human tissues, including human cadavers, so as to lead to bettering the public health of the people of this State.

"§ 130-235.2. Coordinated Human Tissue Donation Program established. — (a) The Department of Human Resources shall establish a coordinated program among departments and agencies of the State and all groups, both public and private, involved in the acquisition and distribution of human tissue to:

- (1) encourage the publicizing of the need for human tissue donations and of the methods by which these donations are made;
- (2) make itself aware of the existing programs of human tissue transplantation and of medical research and education which employ human tissue, including whole cadavers, and funnel information of useful developments to groups and individuals within this State which such information might benefit;
- (3) study the problems surrounding the acquisition and distribution of human tissue and cadavers in this State and make suggestions as to their solution;
- (4) disseminate information to health and other professionals concerning the techniques of human tissue retrieval and transplantation, the legalities involved in making anatomical gifts, and the legal responsibilities of individuals under Article 14 of Chapter 90 of the General Statutes which deals with cadavers for medical schools; and
- (5) arrange for the quick and precise transportation of donated human tissue in emergency transplant situations.

(b) All departments and agencies of the State and county and municipal law enforcement agencies shall cooperate, insofar as possible and not inconsistent with existing law, in the coordinated program instituted by the Department under the authority of this Article.

"§ 130-235.3. Creation of the Human Tissue Advisory Council. — (a) There is created a Human Tissue Advisory Council. There shall be 13 members of this Council, consisting of the following:

- (1) a representative from each of the following institutions:

- the Bowman-Gray School of Medicine,
the Duke University School of Medicine,
the North Carolina Association of the Blind,
the North Carolina Eye and Human Tissue Bank,
the North Carolina Funeral Directors' Association,
the North Carolina Hospital Association,
the North Carolina Kidney Foundation,
the North Carolina Medical Society,
the University of North Carolina at Chapel Hill School of Medicine,
the East Carolina University School of Medicine;
- (2) one member appointed by the Speaker of the House of Representatives;
(3) one member appointed by the President of the Senate; and
(4) the Secretary of Human Resources or his representative.

The Council shall elect its chairman from among its membership.

(b) The Council shall have the duty to advise, confer with, and make recommendations to the Secretary of Human Resources relating to the establishment and conduct of the Coordinated Program for Human Tissue Donations. The Council shall meet upon the call of its chairman or upon agreement of a majority of its membership but shall meet not fewer than three times a year.

(c) The Secretary shall furnish to the Council such secretarial, clerical and other services as he deems necessary. Members of the Council shall serve without compensation but shall be reimbursed for travel and subsistence expenses in accordance with the provisions of G.S. 138-5."

Sec. 2. There is appropriated from the General Fund of the State to the Department of Human Resources the sum of fifty thousand dollars (\$50,000) for the establishment and conduct of the program which is authorized by this act for the 1976-1977 fiscal year.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 26th day of June, 1975.