## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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## SENATE BILL 1075 House Committee Substitute Favorable 6/12/01

Short Title: Amend Uniform Anat. Gift Act. (Public) Sponsors: Referred to: April 5, 2001 A BILL TO BE ENTITLED 1 2 AN ACT TO AMEND THE DEFINITION OF THE TERMS "OUALIFIED INDIVIDUAL" AND "TISSUE BANK" IN THE UNIFORM ANATOMICAL 3 4 GIFT ACT. 5 The General Assembly of North Carolina enacts: SECTION 1. G.S. 130A-403 reads as rewritten: 6 7 "§ 130A-403. Definitions. 8 The following definitions shall apply throughout this Part: "Bank or storage facility" means a facility licensed, accredited or 9 (1)10 approved under the laws of any state for storage or distribution of a 11 human body or its parts. "Decedent" means a deceased individual and includes a stillborn infant 12 (2)13 or fetus. 14 "Donor" means an individual who makes a gift of all or part of the (3) 15 individual's body. "Hospital" means a hospital licensed, accredited or approved under the 16 (4) laws of any state and a hospital operated by the United States 17 government, a state or its subdivision, although not required to be 18 licensed under state laws. 19 20 "Part" means organs, tissues, eyes, bones, arteries, blood, other fluids (5) and any other portions of a human body. 21 "Physician" or "surgeon" means a physician or surgeon licensed to 22 (6)23 practice medicine under the laws of any state. "State" includes any state, district, commonwealth, territory, insular 24 (7)possession and any other area subject to the legislative authority of the 25 United States of America. 26 27 "Tissue bank" means any facility or program operating in North (7a) Carolina that is certified by the American Association of Tissue Banks 28 29 or the Eye Bank Association of America America, or is registered with

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1 2		procu	bod and Drug Administration as a tissue bank, and is involved in ring, furnishing, donating, or distributing corneas, bones, or other	
3			n tissue for the purpose of injecting, transfusing, or transplanting	
4 5		any of them into the human body. "Tissue bank" does not include a licensed blood bank.		
5 6	(9)			
0 7	(8)	-	ified individual" means any of the following individuals who has completed a course in eye enucleation and has have been certified	
8			mpetent to enucleate eyes or perform in situ excision by an eye	
9			accredited by the Eye Bank Association of America or by an	
10		accredited school of medicine in this State:		
11		a.	An embalmer licensed to practice in this State;	
12		b.	A physician's assistant approved by the North Carolina Medical	
13			Board pursuant to G.S. 90-18(13);	
14		c.	A registered or a licensed practical nurse licensed by the Board	
15			of Nursing pursuant to Article 9A of Chapter 90 of the General	
16			Statutes;	
17		d.	A student who is enrolled in an accredited school of medicine	
18			operating within this State and who has completed two or more	
19			years of a course of study leading to the awarding of a degree of	
20			doctor of medicine;	
21		e.	A technician who has successfully completed a written	
22			examination <u>administered by an eye bank that is registered with</u>	
23			the Food and Drug Administration and accredited by the Eye	
24			Bank Association of America. by the North Carolina Eye and	
25 26			Human Tissue Bank, Inc., certified by the Eye Bank Association of America."	
26 27	SECT			
27	<ul> <li>SECTION 2. G.S. 130A-406(e) reads as rewritten:</li> <li>"(e) In respect to a gift of an eye, a qualified individual may enucleate eyes or</li> </ul>			
28 29	<u>perform in situ excision for the gift after proper certification of death by a physician and</u>			
30	upon the express direction of a physician other than the one who certified the death of			
31	the donor."			
32		TION 3	<b>3.</b> This act is effective when it becomes law.	
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