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# 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 and  
2 better the quality of life of Hawaii's people who need  
3 transplants of organs and better the quality of medical  
4 education in Hawaii by ensuring that the proper individuals and  
5 entities fulfill their obligation to effectuate anatomical  
6 gifts.

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

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



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

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 Statutory material to be repealed is bracketed  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

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



**Report Title:**

Anatomical Gifts

**Description:**

Establishes that any response other than an express refusal by a person or persons authorized to amend or revoke a decision to make an anatomical gift will prohibit the amendment or revocation of the decision to make an anatomical gift. (HB2661 HD1)

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