
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,
2 improve the quality of life for those in Hawaii who need organ
3 transplants, and enhance the quality of medical education in
4 Hawaii by ensuring that the wishes of family members approving
5 anatomical gifts, in the form of their relative's body or body
6 parts, are fulfilled, unless a person authorized to override the
7 approval makes an express statement to amend or revoke the
8 approval.

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

11 "(b) Subject to subsection (c), an anatomical gift by a
12 person authorized under section 327-9 may be amended or revoked
13 orally or in a record by any member of a prior class who is
14 reasonably available[-]; provided that any amendment or
15 revocation by the member of the prior class shall be an express,
16 unequivocal revocation or amendment of the earlier anatomical
17 gift by the member of the subordinate class, or the attempted
18 amendment or revocation by the member of the prior class shall



1 be ineffective. If more than one member of the prior class is
2 reasonably available, the gift made by a person authorized under
3 section 327-9 may be amended or revoked only if a majority of
4 the reasonably available members of that class agree to the
5 amending or revoking of the gift [~~or they are equally divided as~~
6 ~~to whether to amend or revoke an anatomical gift.~~]; provided
7 that any amendment or revocation by the majority of the
8 reasonably available members of that prior class shall be an
9 express, unequivocal revocation or amendment of the earlier
10 anatomical gift by the member of the subordinate class, or the
11 attempted amendment or revocation by the majority of the members
12 of the prior class shall be ineffective."

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on December 1, 2050.
16



Report Title:

Anatomical Gifts

Description:

Establishes that, when an authorized person other than the decedent approves an anatomical gift of the decedent's body or body parts, only an express statement by a person or persons authorized to amend or revoke the earlier approval will amend or revoke that decision. Effective December 1, 2050. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

