

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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In reply, please refer to:  
File:

## HOUSE COMMITTEE ON JUDICIARY

### SB1500, HD1, RELATING TO ANATOMICAL GIFTS

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Director of Health

March 29, 2012  
2:00PM, Room 325

- 1 **Department's Position:** The Department of Health supports this measure relating to anatomical gifts.  
2 **Fiscal Implications:** None to the Department of Health.  
3 **Purpose and Justification:** This measure would amend section 327-14, HRS, to require a person to  
4 whom an anatomical gift passes to accept if it is medically suitable for transplantation, therapy, research,  
5 or education.

6 The Department agrees with the testimony submitted by the commission to Promote Uniform  
7 Legislation which offered alternative language for section 2, lines 12-15 which would provide greater  
8 clarity as to the intent of the measure and would be less confusing by substituting "an anatomical gift  
9 made under this chapter shall be accepted unless the anatomical gift is medically unsuitable for  
10 transplantation, therapy, research, or education."

11 Thank you for the opportunity to testify.

**WRITTEN TESTIMONY OF THE  
COMMISSION TO PROMOTE UNIFORM LEGISLATION**

**ON S.B. No. 1500, H.D. 1  
RELATING TO ANATOMICAL GIFTS.**

**BEFORE THE HOUSE COMMITTEE ON JUDICIARY**

**DATE:** Thursday, March 29, 2012, at 2:00 p.m.  
Conference Room 325, State Capitol

**WRITTEN TESTIMONY ONLY:** For further information, please contact  
Commission to Promote Uniform Legislation Commissioner, ELIZABETH KENT  
at 261-0400.

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Chair Keith-Agaran and Members of the House Committee on Judiciary:

My name is Elizabeth Kent and I am one of Hawaii's Uniform Law Commissioners. Hawaii's uniform law commissioners were pleased when the Revised Uniform Anatomical Gifts Act, as codified in Chapter 327, Hawaii Revised Statutes, was enacted because it is intended to save lives and improve the lives of people who need organ transplantation.

It appears the intent of this bill is to require anatomical gifts to be accepted if medically suitable for transplantation. The Commission believes alternate language in Section 2, lines 12 – 15, would be more compatible with this intent and less confusing, and suggests the following be substituted: "An anatomical gift made under this chapter shall be accepted unless the anatomical gift is medically unsuitable for transplantation, therapy, research, or education."

Thank you for the opportunity to suggest this possible change.