

IN THE SENATE

SENATE BILL NO. 1033

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ANATOMICAL GIFTS; AMENDING SECTION 39-3413, IDAHO CODE, TO RE-
VISE PROVISIONS REGARDING CERTAIN NOTIFICATION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-3413, Idaho Code, be, and the same is hereby
amended to read as follows:

39-3413. ~~SEARCH AND NOTIFICATION.~~ (1) For purposes of this section,
"first responder" means a law enforcement officer, firefighter, emergency
medical services provider, coroner, or other emergency rescuer.

(2) ~~The following persons shall make a reasonable search of an individ-
ual who the person reasonably believes is dead or near death for a document of
gift or other information identifying the individual as a donor or as an in-
dividual who made a refusal:~~

~~(a) A first responder finding the individual; and~~

~~(b) If no other source of the information is immediately available, a
hospital, as soon as practical after the individual's arrival at the
hospital.~~

~~(3) For all individuals identified as a donor, following the determina-
tion that an individual is deceased by a person qualified to do so, such per-
son shall, as soon as reasonably possible, notify the Idaho state communica-
tion center local dispatch of the location where the deceased will be or has
been transported to and include the deceased individual's name and date of
birth if known. The Idaho state communication center local dispatch shall,
as soon as reasonably possible, notify the appropriate organ procurement or-
ganization, tissue bank or eye bank Idaho state EMS communications center.
The Idaho state EMS communications center shall, as soon as reasonably pos-
sible, notify the appropriate donation agency.~~

~~(4) If a document of gift or a refusal to make an anatomical gift is lo-
eated by the search required by subsection (2) (a) of this section and the in-
dividual or deceased individual to whom it relates is taken to a hospital,
the person responsible for conducting the search shall send the document of
gift or refusal to the hospital.~~

~~(5) A person is not subject to criminal or civil liability for failing
to discharge the duties imposed by this section.~~