

SENATE BILL No. 260

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-1; IC 29-2-16.1-19.

Synopsis: Licensed professionals organ donor registration. Requires the professional licensing agency to develop and maintain a system that allows an individual who is applying for an initial license or certificate or the renewal of an existing license or certificate to become a donor of an anatomical gift.

Effective: July 1, 2022.

Doriot

January 10, 2022, read first time and referred to Committee on Health and Provider Services.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

SENATE BILL No. 260

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-1-5-4.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2022]: **Sec. 4.5. (a) The agency's duties and functions under this**
4 **chapter include developing and maintaining a system that allows**
5 **an individual who is applying for:**
6 (1) **an initial license or certificate; or**
7 (2) **the renewal of an existing license or certificate;**
8 **to become a donor of an anatomical gift (as defined by**
9 **IC 29-2-16.1-1(3)).**
10 (b) **The agency shall place the information of an individual who**
11 **elects to become a donor of an anatomical gift in a donor registry**
12 **(as defined by IC 29-2-16.1-1(9)).**
13 (c) **An individual authorized to make an anatomical gift under**
14 **IC 29-2-16.1 may amend or revoke an anatomical gift under**
15 **IC 29-2-16.1-5. However, the agency's system under subsection (a)**
16 **is not required to amend or remove a donor's decision to make an**
17 **anatomical gift from the registry if the individual at a later time**



1 **amends or revokes their decision to be a donor.**

2 **(d) The system developed under this section must comply with**
3 **the requirements under IC 29-2-16.1.**

4 SECTION 2. IC 25-1-6-4.5 IS ADDED TO THE INDIANA CODE
5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2022]: **Sec. 4.5. (a) The licensing agency's duties and functions**
7 **under this chapter include developing and maintaining a system**
8 **that allows an individual who is applying for:**

9 **(1) an initial license or certificate; or**

10 **(2) the renewal of an existing license or certificate;**

11 **to become a donor of an anatomical gift (as defined by**
12 **IC 29-2-16.1-1(3)).**

13 **(b) The licensing agency shall place the information of a**
14 **individual who elects to become a donor of an anatomical gift in a**
15 **donor registry (as defined by IC 29-2-16.1-1(9)).**

16 **(c) An individual authorized to make an anatomical gift under**
17 **IC 29-2-16.1 may amend or revoke an anatomical gift under**
18 **IC 29-2-16.1-5. However, the licensing agency's system under**
19 **subsection (a) is not required to amend or remove a donor's**
20 **decision to make an anatomical gift from the registry if the**
21 **individual at a later time amends or revokes their decision to be a**
22 **donor.**

23 **(d) The system developed under this section must comply with**
24 **the requirements under IC 29-2-16.1.**

25 SECTION 3. IC 29-2-16.1-19, AS AMENDED BY P.L.11-2020,
26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2022]: **Sec. 19. (a) The bureau of motor vehicles, the**
28 **professional licensing agency, and the department of natural resources**
29 **shall cooperate with a person that administers any donor registry that**
30 **this state establishes, contracts for, or recognizes for the purpose of**
31 **transferring to the donor registry all relevant information regarding a**
32 **donor's making, amendment to, or revocation of an anatomical gift.**

33 **(b) A donor registry must:**

34 **(1) allow a donor or other person authorized under section 4 of**
35 **this chapter to include on the donor registry a statement or symbol**
36 **that the donor has made, amended, or revoked an anatomical gift;**

37 **(2) be accessible to a procurement organization and to coroners**
38 **to allow it to obtain relevant information on the donor registry to**
39 **determine, at or near death of the donor or a prospective donor,**
40 **whether the donor or prospective donor has made, amended, or**
41 **revoked an anatomical gift; and**

42 **(3) be accessible for purposes of subdivisions (1) and (2) seven**



1 (7) days a week on a twenty-four (24) hour basis.
2 (c) Personally identifiable information on a donor registry about a
3 donor or prospective donor may not be used or disclosed without the
4 express consent of the donor, prospective donor, or person that made
5 the anatomical gift for any purpose other than to determine, at or near
6 death of the donor or prospective donor, whether the donor or
7 prospective donor has made, amended, or revoked an anatomical gift.
8 (d) This section does not prohibit any person from creating or
9 maintaining a donor registry that is not established by or under contract
10 with the state. Any such registry must comply with subsections (b) and
11 (c).

