

IN THE SENATE

SENATE BILL NO. 1248, As Amended

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ORGAN DONORS; AMENDING SECTION 39-3413, IDAHO CODE, TO REVISE
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 determi-~~
~~nation that an individual is deceased by a person qualified to do so, such~~
~~person shall, as soon as reasonably possible, notify the Idaho state com-~~
~~munication center 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 shall, as soon as reasonably~~
~~possible, notify the appropriate organ procurement organization, tissue~~
~~bank or eye bank.~~

~~(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.~~