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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/16/2012	.	
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The Committee on Health Regulation (Jones) recommended the following:

Senate Amendment (with title amendment)

Delete lines 331 - 394
and insert:
investigation, or autopsy conducted pursuant to s. 406.11. This chapter does not prohibit institutions that are authorized to receive human remains or the anatomical board from transporting human remains after use in accordance with s. 406.60.

(2) Any nontransplant anatomical donation organization accredited by the American Association of Tissue Banks or any accredited medical or dental college or university may convey human remains ~~person, institution, or organization that conveys~~



748440

13 ~~bodies~~ or any part thereof within, parts of bodies into, or out
14 of the state for medical or dental education or research
15 purposes. A nontransplant anatomical donation organization need
16 not be accredited as required by this section until July 1,
17 2013. The organization or accredited medical or dental college
18 or university must ~~shall~~ notify the anatomical board at least 2
19 business days before the entity intends to convey ~~of~~ such
20 remains ~~intent~~ and must receive approval from the anatomical
21 board before conveyance. If the 2nd business day falls on a
22 weekend or legal holiday, the next business day is deemed to be
23 the 2nd business day. The requesting entity may submit a request
24 for approval electronically.

25 (a) The anatomical board shall require the following
26 information to be submitted by the entity before approval:

27 1. The name, physical location, and date of the course,
28 conference, or seminar and the organization or facility
29 receiving the remains or specimens, including the physical
30 address and telephone number.

31 2. A description and intended use of the remains or
32 specimens.

33 3. The name, physical address, and telephone number of the
34 organization or facility supplying specimens and handling the
35 transfer of the remains or specimens.

36 4. Documentation from a legally authorized person who may
37 make an anatomical gift pursuant to s. 765.512 authorizing its
38 use in medical or dental education or research. If the remains
39 or any part thereof is to be segmented or disarticulated, such
40 documentation must include the legally authorized person's
41 specific consent and must describe any part of the remains which



42 may be dissected, segmented, or disarticulated. In lieu of the
43 documentation required by this subparagraph, an accredited
44 nontransplant anatomical organization as described in this
45 section may submit an affidavit stating that the organization
46 has donation and consent forms on file for the remains from
47 which each specimen has been provided specifically authorizing
48 dissection, segmentation, or disarticulation of the remains. The
49 affidavit must also state that the specimen being shipped into
50 the state has not been received from a second party.

51 5. An outline of the security measures in place for
52 maintaining control of and safeguarding the remains or specimens
53 at the organization or facility before, during, and after the
54 course, conference, or seminar.

55 6. The procedures for disposal of the remains or specimens
56 after the course, conference, or seminar is concluded or after
57 the organization or facility receiving the remains or specimens
58 has completed its use, including the name, address, and
59 telephone number of the cinerator facility licensed under
60 chapter 497 which is responsible for performing cremation
61 pursuant to s. 406.60.

62
63 The anatomical board shall grant or deny requests for approval
64 within 2 business days after receipt of the required
65 information. Failure to provide such information is grounds for
66 denial of the request. If the request is not approved or denied
67 within 2 business days after receipt, it is deemed approved. If
68 the 2nd business day falls on a weekend or legal holiday, the
69 next business day is deemed to be the 2nd business day. If the
70 anatomical board denies a request, it must provide a written



748440

71 statement of the reasons for denial. Such approval or denial may
72 be transmitted electronically to the requesting entity.

73 (b) The requirements of paragraph (a) do not apply to
74 specimens being shipped into, within, or outside the state by an
75 accredited medical or dental school if such specimens are
76 required to have a postmortem ischemic time of 24 hours or less.
77 This paragraph does not apply to large body parts, such as the
78 torso or major extremities.

79 (c) Human remains received in this state by a nontransplant
80 anatomical donation organization must be accompanied by the
81 original burial-transit permit issued pursuant to s. 382.007.
82 The remains may not be dissected, segmented, or disarticulated
83 until the district medical examiner of the county in which the
84 death occurred has granted approval pursuant to s. 406.11.

85 (3) Monetary inducement or other valuable consideration,
86 including goods or services, may not be offered to a donor,
87 legally authorized person, the donor's estate, or other third
88 party. As used in this subsection, the term "valuable
89 consideration" does not include, and this section does not
90 prohibit, the payment or reimbursement of the reasonable cost
91 associated with the removal, storage, and transportation of
92 human remains by a funeral establishment or removal service
93 licensed under chapter 497, or the reasonable costs after use,
94 including the disposition of human remains pursuant to s.
95 406.60.

96 (4) This section does not apply to organ procurement
97 organizations, tissue banks, and eye banks certified by the
98 Agency for Health Care Administration pursuant to s. 765.541,
99 approved by the federal Department of Health and Human Services,



748440

100 and accredited by the American Association of Tissue Banks as a
101 nontransplant anatomical donation organization to the extent
102 these organizations and banks engage in procurement of organs,
103 tissues, and eyes for transplantation.

104 ~~(5)(2)~~ Any entity accredited by the American Association of
105

106 ===== T I T L E A M E N D M E N T =====

107 And the title is amended as follows:

108 Delete lines 35 - 42

109 and insert:

110 the state; providing penalties; providing that ch.
111 406, F.S., relating to the disposition of dead bodies,
112 does not prohibit institutions that are authorized to
113 receive human remains or the anatomical board from
114 transporting human remains after use; authorizing
115 certain and organizations or accredited medical or
116 dental colleges or universities to convey human
117 remains in or out of state for medical or dental
118 education or research purposes; establishing criteria
119 for the anatomical board to approve the conveyance of
120 human remains; providing an exception for certain
121 specimens; providing additional requirements for human
122 remains received in this state by a nontransplant
123 anatomical donation organization; prohibiting a donor,
124 a legally authorized person, a donor's estate, or
125 other third party from being offered monetary
126 inducement for human remains; providing a definition;
127 providing that the act does not apply to certain organ
128 procurement organizations, tissue banks, and eye



748440

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banks; deleting provisions relating to