

By: Ellis

S.B. No. 205

A BILL TO BE ENTITLED

1 AN ACT
2 relating to information provided before corneal tissue removal.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 693.012, Health and Safety Code, is
5 amended to read as follows:

6 Sec. 693.012. REMOVAL OF CORNEAL TISSUE PERMITTED UNDER
7 CERTAIN CIRCUMSTANCES. (a) On a request from an authorized
8 official of an eye bank for corneal tissue, a justice of the peace
9 or medical examiner may permit the removal of corneal tissue if:

10 (1) the decedent from whom the tissue is to be removed
11 died under circumstances requiring an inquest by the justice of the
12 peace or medical examiner;

13 (2) the justice of the peace or medical examiner makes
14 a reasonable attempt to identify and contact at least one ~~no~~
15 ~~objection by a~~ person entitled to object to the removal of corneal
16 tissue under ~~[listed in]~~ Section 693.013 to provide the person an
17 opportunity to object before the corneal tissue is removed ~~[is~~
18 ~~known by the justice of the peace or medical examiner]~~; and

19 (3) the removal of the corneal tissue will not
20 interfere with the subsequent course of an investigation or autopsy
21 or alter the decedent's postmortem facial appearance.

22 (b) If the justice of the peace or medical examiner is not
23 able to contact a person as required by Subsection (a)(2) before
24 the corneal tissue is removed, the justice of the peace or medical

1 examiner shall notify as soon as practicable each person who is
2 entitled to object under Section 693.013 that corneal tissue has
3 been removed from the decedent in accordance with this section.

4 SECTION 2. Subchapter B, Chapter 693, Health and Safety
5 Code, is amended by adding Section 693.015 to read as follows:

6 Sec. 693.015. INFORMATION FOR PERSON WHO MAY OBJECT TO
7 REMOVAL. Within 12 hours of a decedent's death at a hospital under
8 circumstances requiring an inquest, the hospital shall provide a
9 written copy of this subchapter to each person known by the persons
10 at the hospital responsible for the decedent's care to be entitled
11 to object under Section 693.013.

12 SECTION 3. This Act takes effect September 1, 2003, and
13 applies only to the removal of corneal tissue on or after that date.
14 The removal of corneal tissue before September 1, 2003, is governed
15 by the law as it existed immediately before that date, and that law
16 is continued in effect for this purpose.