

By: Rose

H.B. No. 1286

A BILL TO BE ENTITLED

AN ACT

relating to the disposition of organs, organ parts, or medically implanted devices on completion of an autopsy.

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

SECTION 1. Section 9, Article 49.25, Code of Criminal Procedure, is amended by adding Subsections (d), (e), and (f) to read as follows:

(d) On completion of an autopsy during which the medical examiner removes an organ, organ part, or medically implanted device, the medical examiner performing the autopsy shall retain the organ, organ part, or medically implanted device if:

(1) the retention is required by law or by published professional or accreditation standards; or

(2) the medical examiner determines that retention is necessary for further examination or testing.

(e) If the medical examiner is not required to retain an organ, organ part, or medically implanted device under Subsection (d), the medical examiner shall:

(1) dispose of the organ, organ part, or medically implanted device as medical waste; or

(2) release the organ, organ part, or medically implanted device to:

(A) the decedent's next of kin or the executor of the decedent's estate;

1                   (B) a medical laboratory;  
2                   (C) a hospital;  
3                   (D) an accredited medical school for research or  
4 education purposes;

5                   (E) an organ procurement organization; or

6                   (F) a funeral establishment or crematory.

7           (f) A medical examiner shall develop a protocol based on  
8 published professional or accreditation standards for the  
9 disposition of organs, organ parts, and medically implanted devices  
10 under this section.

11           SECTION 2. This Act takes effect September 1, 2017.