

## §1402-A. Anatomical gifts

### 1. Statement on anatomical gifts.

[PL 2007, c. 601, §3 (RP); PL 2007, c. 601, §9 (AFF).]

**1-A. Anatomical gifts.** A licensee or, beginning January 1, 2010, a nondriver identification card holder under section 1410 may make an anatomical gift under Title 22, chapter 710-B during the process of obtaining and renewing a license or nondriver identification card. After January 1, 2010, a licensee or nondriver identification card holder may make an anatomical gift in the periods between license and nondriver identification card renewals by requesting that the licensee or nondriver identification card holder be included in or eliminated from the Maine Organ Donor Registry.

[PL 2007, c. 601, §4 (NEW); PL 2007, c. 601, §9 (AFF).]

### 2. Organ donor decal, code or notation.

[PL 2007, c. 601, §5 (RP); PL 2007, c. 601, §9 (AFF).]

**2-A. Organ and tissue donor notation.** The Secretary of State shall print the license or nondriver identification card with a distinctive code or notation indicating the licensee's or card holder's inclusion in the Maine Organ Donor Registry.

[PL 2007, c. 601, §6 (NEW); PL 2007, c. 601, §9 (AFF).]

**3. Information on organ and tissue donation.** The Secretary of State shall make available information on organ and tissue donation to license applicants and holders. The Secretary of State shall also make information on organ and tissue donation available in offices of the Bureau of Motor Vehicles.

[PL 1997, c. 233, §1 (NEW).]

**4. Anatomical gift coordination.** In order to coordinate the donation of anatomical gifts and the receipt and transplantation of organs and tissues, beginning July 1, 2004, the Secretary of State shall perform the following duties.

A. The Secretary of State shall modify its existing database system to maintain the Maine Organ Donor Registry, referred to in this section as "the registry." The Secretary of State shall include information on donors who indicate their intention to donate through the Office of the Secretary of State. [PL 2003, c. 394, §4 (NEW); PL 2003, c. 394, §6 (AFF).]

B. [PL 2011, c. 168, §2 (RP).]

C. Information maintained in the registry must be made available through a secure site on the Internet, designed to guard donor and family privacy, to federally designated organ procurement organizations as necessary for the coordination of receipt of anatomical gifts and coordination of transplantation of organs and tissues. [PL 2003, c. 394, §4 (NEW); PL 2003, c. 394, §6 (AFF).]

D. [PL 2011, c. 168, §3 (RP).]

E. Notwithstanding Title 22, section 1711-C and any other provision of law to the contrary, a health care provider licensed in this State to provide primary health care shall provide information to a federally designated organ procurement organization regarding a patient who has indicated a willingness to become an organ donor under this section, Title 18-C, Article 5, Part 8 or Title 22, chapter 710-B if such information is provided in accordance with professional standards applicable to organ donation. [PL 2017, c. 402, Pt. C, §82 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]  
[PL 2017, c. 402, Pt. C, §82 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

**5. Effect.** An expression of willingness to make an anatomical gift under this section has the same effect as a designation under Title 18-C, Article 5, Part 8 or Title 22, chapter 710-B. Revocation or suspension of the right to drive under this chapter does not affect the expressed willingness of a person to make an anatomical gift under this section.

[PL 2017, c. 402, Pt. C, §83 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

## SECTION HISTORY

PL 1995, c. 32, §4 (NEW). PL 1997, c. 233, §1 (AMD). PL 1997, c. 437, §36 (AMD). PL 2003, c. 394, §4 (AMD). PL 2003, c. 394, §6 (AFF). PL 2005, c. 208, §3 (AMD). PL 2007, c. 601, §§3-8 (AMD). PL 2007, c. 601, §9 (AFF). PL 2011, c. 168, §§2, 3 (AMD). PL 2017, c. 402, Pt. C, §§82, 83 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

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