

Article - Estates and Trusts

[Previous][Next]

§4–503.

(a) Subject to § 4–506 of this subtitle, an anatomical gift may be made during the life of a donor for the purpose of transplantation, therapy, research, or education by:

(1) (i) A donor who is an adult; or

(ii) A donor who is a minor, if the minor is:

1. Emancipated; or

2. Authorized under State law to apply for a driver's license because the donor is at least 15 years and 9 months old;

(2) An agent of a donor, unless a power of attorney for health care or other record prohibits the agent from making an anatomical gift;

(3) A parent of a donor, if the donor is an unemancipated minor; or

(4) A guardian of a donor.

(b) A donor may make an anatomical gift:

(1) By authorizing a statement or symbol indicating that the donor has made an anatomical gift to be imprinted on the donor's driver's license or identification card;

(2) By will;

(3) During a terminal illness or an injury of the donor, by any form of communication addressed to at least two adults, at least one of whom is a disinterested witness; or

(4) As provided in subsection (c) of this section.

(c) (1) A donor or other person authorized to make an anatomical gift under this section may make a gift by:

(i) A donor card or other record signed by the donor or other person making the gift; or

(ii) Authorizing that a statement or symbol indicating that the donor has made an anatomical gift be included on a donor registry.

(2) If a donor or other person authorized to make an anatomical gift under

this section is physically unable to sign a record, the record may be signed by another individual at the direction of the donor or other person and shall:

(i) Be witnessed by at least two adults, at least one of whom is a disinterested witness, who have signed at the request of the donor or other person; and

(ii) State that the record has been signed and witnessed as provided in item (i) of this paragraph.

(d) Revocation, suspension, expiration, or cancellation of a driver's license or an identification card that indicates an anatomical gift does not invalidate the gift.

(e) (1) An anatomical gift made by will takes effect on the donor's death whether or not the will is probated.

(2) If a will that makes an anatomical gift is invalidated after the donor's death, the anatomical gift does not become invalid.

[Previous][Next]