

Article - Estates and Trusts

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§4–516.

(a) In this section, “qualified nonprofit entity” means a procurement organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code or an entity exempt from taxation under § 501(c)(3) of the Internal Revenue Code that actively functions in a supporting relationship to one or more procurement organizations if the procurement organization or other entity has a board of directors whose members are experienced in:

- (1) Organ, tissue, and eye donation;
- (2) Working with donors and donor families; and
- (3) Educating the public about the importance of the process of organ, tissue, and eye donation.

(b) (1) The Secretary of Health and Mental Hygiene shall contract with a qualified nonprofit entity for the establishment, maintenance, and operation of a donor registry.

(2) The Secretary of Health and Mental Hygiene shall use funds from the Organ and Tissue Donation Awareness Fund established under Title 13, Subtitle 9 of the Health – General Article or any other funds as may be appropriate to compensate the nonprofit entity contracted with under paragraph (1) of this subsection for the reasonable cost of establishing, maintaining, and operating the donor registry, including the reasonable cost of public education programs to increase public awareness about the existence and purpose of the registry and organ, tissue, and eye donation.

(c) The Motor Vehicle Administration shall cooperate with the qualified nonprofit entity contracted with under subsection (b)(1) of this section for the purpose of transferring to the donor registry all relevant information regarding a donor’s making, amending of, or revoking of an anatomical gift.

(d) A donor registry shall be accessible 24 hours a day and 7 days a week to allow:

(1) A donor to include on the donor registry a statement or symbol that the donor has made or amended an anatomical gift;

(2) A donor to revoke an anatomical gift; or

(3) A procurement organization to obtain relevant information on the donor registry to determine, at the death or imminent death of a donor or a prospective donor, whether the donor or prospective donor has made, amended, or revoked an

anatomical gift.

(e) Personally identifiable information on a donor registry about a donor or prospective donor may not be used or disclosed without the express consent of the donor, prospective donor, or person that made the anatomical gift for any purpose other than to determine, at the death or imminent death of the donor or prospective donor, whether the donor or prospective donor has made or amended an anatomical gift.

(f) (1) This section does not prohibit a person from creating or maintaining a donor registry that is not established by or under contract with the State.

(2) A registry that is not established by or under contract with the State shall comply with subsections (d) and (e) of this section.

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