
By: **Delegates Pendergrass, Frank, Goldwater, Barve, Turner, and Crumlin**
Introduced and read first time: February 13, 1998
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Anatomy Board - Unclaimed Bodies**

3 FOR the purpose of altering a certain time period within which the State Anatomy
4 Board, under certain circumstances, may take certain actions concerning an
5 unclaimed body after death; and generally relating to certain authority of the
6 State Anatomy Board concerning unclaimed bodies.

7 BY repealing and reenacting, without amendments,
8 Article - Health - General
9 Section 5-401(a) through (c)
10 Annotated Code of Maryland
11 (1994 Replacement Volume and 1997 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Health - General
14 Section 5-406
15 Annotated Code of Maryland
16 (1994 Replacement Volume and 1997 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Health - General**

20 5-401.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) "Board" means the State Anatomy Board.

23 (c) "Public officer" means an officer of this State or of a county or other
24 political subdivision of this State.

1 5-406.

2 (a) (1) A public officer who has control of a body immediately shall notify the
3 chairman of the Board if, after a reasonable search, the public officer has not found a
4 person who will take control of the body for its final disposition.

5 (2) Subject to the limitations imposed on nursing homes under Article
6 70B, § 5A of the Code, any other person who has control of a body may notify the
7 Board if, after a reasonable search, the person has not found a person who will take
8 control of the body for its final disposition.

9 (b) (1) Subject to the time limitations in this subsection, when the Board is
10 notified of the existence of a body, the Board may remove the body to a morgue in
11 Baltimore City that the Board designates for that purpose.

12 (2) If the person who notifies the Board can refrigerate the body suitably,
13 the body may be removed only at the expiration of [48 hours] 3 BUSINESS DAYS after
14 death.

15 (3) If the person who notifies the Board cannot refrigerate the body
16 suitably, the body may be removed as soon as feasible after death, and, on arrival at
17 the morgue, shall be refrigerated until the expiration of [48 hours] 3 BUSINESS DAYS
18 after death.

19 (c) (1) On expiration of [48 hours] 3 BUSINESS DAYS after death, the body
20 shall be under the exclusive control of the Board and may be embalmed.

21 (2) If the body is embalmed, it shall be embalmed in a proper manner by
22 an individual whom the Board designates.

23 (3) Any relative or friend of the deceased may claim the body and, on
24 payment to the Board of its cost of moving and embalming the body, shall receive it.

25 (4) The Board may waive its costs under this section upon a showing of
26 hardship by the relative or friend.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 1998.