

MD Dept of Health_INFO_SB 869

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DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

February 25, 2020

The Honorable William C. Smith, Jr., Chair
Judicial Proceedings Committee
2 East Wing, Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 869 – Estates and Trusts – Maryland Revised Uniform Anatomical Gift Act – Revisions – Letter of Information

Dear Chairman Smith and Committee Members:

The Maryland Department of Health (Department) respectfully submits this letter of information for Senate Bill 869 (SB 869) Estates and Trusts - Maryland Revised Uniform Anatomical Gift Act - Revisions. In addition to broadening the accepted uses for anatomical gifts, SB 869 allows a procurement organization or a hospital to request the death certificate of a donor or prospective donor, of an anatomical gift, in the course of reviewing that donor's medical and dental records.

The Department believes current health regulations already provide the authority for parties' in a prospective donor relationship to obtain a death certificate. Under Code of Maryland Regulation (COMAR), 10.03.01.08 (B)(2)(b), any "authorized representative" of a deceased individual may request that individual's death certificate from the Vital Statistics Administration. Any "procurement organization" can request an individual's death certificate so long as their agreement with a prospective donor names the organization as an authorized representative. To that end, please consider the attached amendment to SB 869.

I hope this information is useful. If you would like to discuss this further, please contact Director of Governmental Affairs, Webster Ye, at (410) 260-3190 or webster.ye@maryland.gov.

Sincerely,

Robert R. Neall
Secretary

AMENDMENTS TO SENATE BILL 869
(First Reading File Bill)

On page 3, strike beginning with the comma in line 32 down through “DONOR” in line 33.