

Amendment No. 352

Senate Amendment to Senate Bill No. 193

(BDR 40-51)

Proposed by: Committee on Human Resources and Education**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN a 2/3s majority vote requirement for final passage of SB193 (§ 13).

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend the bill as a whole by deleting sections 1 through 35 and adding new sections designated sections 1 through 8, following the enacting clause, to read as follows:

“**Section 1.** NRS 451.360 is hereby amended to read as follows:

451.360 *1.* The University and Community College System of Nevada may establish a Committee on Anatomical Dissection ~~[which must be composed as follows:~~

~~—1. One doctor of medicine]~~ *consisting of:*

(a) One member who is:

YMGL/LH

Date: 4/25/2005

S.B. No. 193—Requires licensure by Health Division of Department of Human Resources of facilities which procure, perform tests on, store or distribute human tissues or organs for medical or dental education, medical or dental research or advancement of medical or dental science.

(1) A physician licensed to practice medicine pursuant to the provisions of chapter 630 of NRS, appointed by the Nevada State Medical Association ~~[-~~

~~—2. One doctor of]~~ ; or

(2) An osteopathic physician licensed to practice osteopathic medicine pursuant to the provisions of chapter 633 of NRS, appointed by the Nevada Osteopathic Medical Association.

(b) One member who is a dentist licensed to practice dentistry pursuant to the provisions of chapter 631 of NRS, appointed by the Nevada ~~[State]~~ Dental Association.

~~{3.}~~ *(c) One member who is a pathologist , appointed by the Nevada* ~~[State]~~ Society of Pathologists.

~~{4.}~~ *(d) One member appointed by the President of the University of Nevada, Reno , from the faculty of the University of Nevada, Reno.*

~~{5.}~~ *(e) One member appointed by the President of the University of Nevada, Las Vegas , from the faculty of the University of Nevada, Las Vegas.*

~~{6.}~~ *(f) One member appointed by the President of the Touro University College of Osteopathic Medicine, Nevada, or its successor, from the faculty of the Touro University College of Osteopathic Medicine, Nevada.*

(g) The State Health Officer , or ~~[one of his staff appointed by him.~~
~~—7.]~~ *his designee.*

(h) One member appointed by the Nevada Funeral Service Association.

2. The Committee shall elect:

(a) The member appointed by the President of the University of Nevada, Reno, or the member appointed by the President of the University of Nevada, Las Vegas, to serve as Chairman of the Committee; and

(b) A Secretary from among its members.

3. The Chairman and Secretary shall hold office for a term of 1 year.

Sec. 2. NRS 451.370 is hereby amended to read as follows:

451.370 *1. The Committee shall meet:*

(a) At least twice annually and at other times specified by a call of the Chairman of the Committee or a majority of its members; and

(b) At places specified by the Chairman.

2. The Committee shall keep full and complete minutes of each meeting of the Committee and a complete record of all dead human bodies received and distributed by it and of the persons to whom the bodies may be distributed. The minutes and records must be open at all times ~~to the inspection of~~ for inspection by each member of the Committee and ~~of~~ by the district attorney of any county within the State.

3. The Secretary of the Committee is responsible for keeping the minutes of each meeting of the Committee and preparing and maintaining a complete file of the minutes and records of the Committee.

4. The Committee shall prepare and approve an annual budget for the Committee.

5. A report of the activities of the Committee must be made before September 1 of each even-numbered year covering the biennium ending June 30 of such year to ~~the~~ :

(a) The Presidents of the University and Community College System of Nevada ~~and to the~~ ;

(b) *The State Board of Health* ~~[- One of the members of the Committee from the University and Community College System of Nevada must act as Secretary and shall be responsible for preparing and maintaining a complete file of such minutes and records.]~~ ;

(c) *The Governor; and*

(d) *The Director of the Legislative Counsel Bureau for transmittal to the appropriate committee or committees of the Legislature.*

Sec. 3. NRS 451.390 is hereby amended to read as follows:

451.390 The Committee shall ~~[- from time to time]~~ adopt such regulations as it may deem necessary for the performance of its duties ~~[- The Committee may meet regularly once a year and at such other times as it deems necessary.]~~ , ***including, without limitation, regulations concerning the persons and entities that are eligible to receive dead bodies pursuant to NRS 451.450.***

Sec. 4. NRS 451.400 is hereby amended to read as follows:

451.400 1. All public officers, agents or employees of every county, city or town, every person in charge of any prison, morgue, hospital, funeral parlor or mortuary, and all other persons coming into possession, charge or control of any dead human body which is unclaimed or which is required to be buried at public expense are hereby required to notify ***immediately*** the Committee ~~[- immediately, or such person as may from time to time be designated by the Committee.]~~ ***or its designee.***

2. Except as otherwise provided in NRS 451.420, every ~~[- such]~~ person ***required to notify the Committee or its designee of his possession, charge or control of a dead human body pursuant to subsection 1*** shall, upon the request of the Committee and without fee, deliver such a dead body to the Committee, or to such agent, institution or person as the Committee ~~[- shall]~~ ***may*** designate.

Sec. 5. NRS 451.410 is hereby amended to read as follows:

451.410 ~~{All bodies}~~ ***Each dead human body*** received by the Committee shall be retained in *a* receiving ~~{vaults}~~ ***vault*** for a period of not less than ~~{60}~~ ***30*** days before allowing ~~{their}~~ ***its*** use for medical science. If at any time more bodies are made available to the Committee than can be used for medical science under its jurisdiction, or a body shall be deemed by the Committee to be unfit for anatomical purposes, the Committee may notify, in writing, the ***board of*** county commissioners of the county where the death occurred. Upon receiving such notification, the ***board of*** county commissioners shall direct ~~{some}~~ ***a*** person to take charge of such body and cause it to be buried ***or cremated*** in accordance with the existing rules, laws and practices for disposing of unclaimed bodies within such county.

Sec. 6. NRS 451.450 is hereby amended to read as follows:

451.450 ***1.*** The Committee or its duly authorized agent shall take and receive the bodies delivered to it ~~{under}~~ ***pursuant to*** the provisions of NRS 451.350 to 451.470, inclusive, and shall distribute such bodies proportionately and equitably, among schools, teaching hospitals ~~{wherein the}~~ ***in which there is a*** resident training program ***that*** requires cadaveric material for study, and such other ~~{groups}~~ ***person or entity*** as the Committee may determine to be eligible to receive such bodies.

2. The Committee shall charge and collect a fee in an amount not to exceed the expenses of the Committee to obtain, handle and distribute a body delivered to it pursuant to the provisions of NRS 451.350 to 451.470, inclusive, from the person or entity to whom the body is distributed pursuant to this section, other than a university, state college, community college or medical school within the University and Community College System of Nevada.

3. A person or entity may not receive a dead body for the promotion of medical science unless the Committee has determined that the person or entity is eligible to receive the dead body. A person or entity who receives a dead body in violation of this subsection is guilty of a gross misdemeanor.

Sec. 7. NRS 451.460 is hereby amended to read as follows:

451.460 ~~[No]~~ ***The Committee shall not distribute a body delivered to it pursuant to the provisions of NRS 451.350 to 451.470, inclusive, to a university, school, college, teaching hospital or [association shall be allowed or permitted to receive any such body] entity pursuant to NRS 451.450 until the university, school, college, teaching hospital or entity submits a bond, [approved as to] in a form approved by the Attorney General, [has been given] to the Committee. Such bond shall be in the penal sum of \$1,000 conditioned that all such bodies received by such university, school, college, teaching hospital or association shall be used for no other purpose than the promotion of medical science within this State.***

Sec. 8. NRS 451.470 is hereby amended to read as follows:

451.470 At any time any body, or part of any body accepted by the Committee, has been used and deemed of no further value to medical or dental science, the person having charge of such body or parts of such body ~~[will]~~ ***shall*** dispose of the remains by cremation or as otherwise specified under prior mutually agreed special conditions of acceptance.”.

Amend the title of the bill to read as follows:

“AN ACT relating to public health; making various changes concerning the Committee on

Anatomical Dissection established by the University and Community College System of Nevada; prohibiting a person from receiving a dead body under certain circumstances;

decreasing the period of time that the Committee is required to retain any dead body it receives in a receiving vault to not less than 30 days; requiring the Committee to charge and collect certain fees for obtaining, handling and distributing dead bodies; providing a penalty; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes concerning Committee on Anatomical Dissection established by University and Community College System of Nevada and distribution and treatment of dead bodies. (BDR 40-51)”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law authorizes the University and Community College System of Nevada to establish a Committee on Anatomical Dissection. (NRS 451.360) The Committee receives certain dead human bodies and distributes such bodies to certain schools, teaching hospitals and other groups which the Committee determines are eligible to receive such bodies for the promotion of medical science. (NRS 451.400, 451.410 and 451.450) The Committee is required to submit a report of its activities to the Presidents of the University and Community College System of Nevada and the State Board of Health. (NRS 451.370) The Committee is also required to retain each dead body it receives in a receiving vault for not less than 60 days before allowing its use for medical science. (NRS 451.410)

This bill revises certain provisions relating to the membership of the Committee and requires that the member appointed by the President of the University of Nevada, Reno, or the University of Nevada, Las Vegas, be elected as Chairman. The Chairman and Secretary hold office for 1 year and the Committee is required to meet at least twice annually.

This bill also establishes certain duties for the Committee. The Committee is required to prepare and approve an annual budget and to submit the report of its activities to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the appropriate committees of the Legislature. This bill further requires the Committee to adopt regulations concerning the persons and entities that are eligible to receive dead human bodies. The Committee is also required to retain each

dead body it receives in a receiving vault for not less than 30 days before allowing its use for medical science.

This bill requires the Committee to charge and collect certain fees to persons or entities which receive dead bodies from the Committee for medical science, except for institutions and medical schools of the University and Community College System of Nevada.

This bill prohibits a person and entity from receiving a dead body for the promotion of medical science unless the Committee determines that the person is eligible to receive such body. A person or entity that receives a dead body without the Committee making such a determination is guilty of a gross misdemeanor.