

SUMMARY—Revises provisions relating to anatomical gifts. (BDR 40-543)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: No.

AN ACT relating to anatomical gifts; authorizing a procurement organization to transport or arrange for the transportation of the body or part of a deceased donor under certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

The Revised Uniform Anatomical Gift Act establishes the rights of donors and other persons to affirmatively make anatomical gifts of human bodies and parts for the purpose of transplantation, therapy, research or education. (NRS 451.500-451.598) The Uniform Act also sets forth the rights and duties of organizations that procure anatomical gifts. (NRS 451.579) This bill authorizes a procurement organization to transport, or arrange for the transportation of, the body or part of a deceased donor as necessary to facilitate an anatomical gift.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** NRS 451.579 is hereby amended to read as follows:

451.579 1. When a hospital refers a natural person at or near death to a procurement organization, the organization shall make a reasonable search of the records of any donor registry that it knows exists for the geographical area in which the natural person resides to ascertain whether the natural person has made an anatomical gift.

2. When a hospital refers a natural person at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research or education from a donor or a prospective donor. During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows that the natural person expressed a contrary intent.

3. Unless prohibited by law other than NRS 451.500 to 451.598, inclusive, at any time after a donor's death, the person to which a part passes under NRS 451.571 may conduct any reasonable examination necessary to ensure the medical suitability of the body or part for its intended purpose.

4. Unless prohibited by law other than NRS 451.500 to 451.598, inclusive, an examination under subsection 2 or 3 may include an examination of all medical and dental records of the donor or prospective donor.



5. Upon the death of a minor who was a donor or had signed a refusal, unless a procurement organization knows the minor is emancipated, the procurement organization shall conduct a reasonable search for the parents of the minor and provide the parents with an opportunity to revoke or amend the anatomical gift or revoke the refusal.

6. Upon referral by a hospital under subsection 1, a procurement organization shall make a reasonable search for any person listed in NRS 451.566 having priority to make an anatomical gift on behalf of a prospective donor. If a procurement organization receives information that an anatomical gift to any other person was made, amended or revoked, it shall promptly advise the other person of all relevant information.

7. Subject to subsection 10 of NRS 451.571 and 451.597, the rights of the person to which a part passes under NRS 451.571 are superior to the rights of all others with respect to the part. The person may accept or reject an anatomical gift in whole or in part. Subject to the terms of the document of gift and NRS 451.500 to 451.598, inclusive, a person that accepts an anatomical gift of an entire body may allow embalming, burial or cremation, and use of remains in a funeral service. If the gift is of a part, the person to which the part passes under NRS 451.571, upon the death of the donor and before embalming, burial or cremation, shall cause the part to be removed without unnecessary mutilation.

8. Neither the physician who attends the decedent at death nor the physician who determines the time of the decedent's death may participate in the procedures for removing or transplanting a part from the decedent.



9. A physician or technician may remove a donated part from the body of a donor that the physician or technician is qualified to remove.

10. In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift, if an anatomical gift of a part has been made for the purpose of transplantation or therapy and the part is medically suitable for that purpose, the appropriate procurement organization shall discuss with a person authorized to make an anatomical gift under NRS 451.556 the person's willingness to make an anatomical gift of any other part for the purpose of research or education.

*11. A procurement organization may transport, or arrange for the transportation of, the body or part of a deceased donor as necessary to facilitate an anatomical gift, including, without limitation, to facilitate:*

*(a) The removal or transplant of a part that is the subject of an anatomical gift; or*

*(b) The return of the remainder of a body from which a part that was the subject of an anatomical gift was removed to the custody of the person under obligation to dispose of the body.*

**Sec. 2.** This act becomes effective on July 1, 2025.

