

LAWS OF DELAWARE
VOLUME 83
CHAPTER 139
151st GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 87
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ANATOMICAL GIFTS AND THE DELAWARE HEALTH INFORMATION DATABASE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2721, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 2721. Requests for anatomical gifts.

(a)(1) At or near the time of death of any patient in a hospital, the attending physician or hospital designee shall make contact with the OPO in order to determine the suitability for organ, tissue and eye donation for any purpose specified under this chapter. This contact and the disposition shall be noted in the patient's medical record.

(2)a. If the OPO determines that additional medical history or information is required to determine suitability for the donation, the OPO may seek additional health information on the potential anatomical donor from the Delaware Health Information Network.

b. If the OPO has entered into an agreement with the Delaware Health Information Network ("DHIN") for access to clinical data in DHIN's possession, DHIN shall provide the OPO with timely access to medical information on the potential anatomical donor.

Approved September 10, 2021