



SPONSOR: Sen. Gay & Rep. Dorsey Walker
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Yearick

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 87

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:

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

3 § 2721. Requests for anatomical gifts.

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

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

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

SYNOPSIS

This Act requires the Delaware Health Information Network ("DHIN") to provide the Gift of Life program – the State's approved organ procurement organization, or "OPO" – with access to data on potential anatomical donors when the data is needed to determine the suitability for organ, tissue and eye donation for any purpose identified in Delaware's Uniform Anatomical Gift Act.

This Act is the result of the 2019 report of the Joint Legislative Oversight and Sunset Committee's task force under Senate Resolution No. 9 of the 150th General Assembly.

Author: Senator Gay