

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 719
HOUSE BILL 285

AN ACT TO REQUIRE HOSPITALS TO ESTABLISH PROTOCOLS FOR ORGAN
PROCUREMENT.

The General Assembly of North Carolina enacts:

Section 1. Article 16 of Chapter 130A of the General Statutes is amended by adding a new Section 130A-412.1 to read:

"§ 130A-412.1. **Duty of hospitals to establish organ procurement protocols.** –(a) In order to facilitate the goals of this Part, each hospital shall be required to establish written protocols for the identification of potential organ and tissue donors that:

- (1) Assure that the families of potential organ and tissue donors are made aware of the option of organ or tissue donation and their option to decline;
- (2) Encourage discretion and sensitivity with respect to the circumstances, views and beliefs of such families;
- (3) Require that an organ procurement agency be notified of potential organ and tissue donors; and
- (4) Assure that procedures are established for identifying and consulting with holders of properly executed donor cards.

(b) The family of any person whose organ or tissue is donated for transplantation shall not be financially liable for any costs related to the evaluation of the suitability of the donor's organ or tissue for transplantation or any costs of retrieval of the organ or tissue.

(c) The requirements of this section, or of any hospital organ procurement protocols established pursuant to this section shall not exceed those provided for by the hospital organ protocol provisions of Title XI of the Social Security Act, except for the purposes of this section the term 'organ and tissue donors' shall include cornea and tissue donors for transplantation."

Sec. 2. G.S. 130A-414 is repealed.

Sec. 3. This act shall become effective October 1, 1987.

In the General Assembly read three times and ratified this the 3rd day of August, 1987.