

IC 9-24-17

Chapter 17. Anatomical Gifts

IC 9-24-17-1

Forms

Sec. 1. The application form for a driver's license and an identification card issued under IC 9-24-16 must allow an applicant to acknowledge the making of an anatomical gift under IC 29-2-16.1. *As added by P.L.2-1991, SEC.12. Amended by P.L.29-2000, SEC.2; P.L.94-2002, SEC.2; P.L.147-2007, SEC.1.*

IC 9-24-17-2

Inquiries; completion of form

Sec. 2. (a) The bureau shall verbally ask every individual who applies for a driver's license or an identification card issued under IC 9-24-16 whether the individual desires to make an anatomical gift.

(b) If the individual does desire to make an anatomical gift, the bureau shall assist the individual in completing the form by which the individual makes the gift.

As added by P.L.2-1991, SEC.12. Amended by P.L.104-1991, SEC.1; P.L.29-2000, SEC.3.

IC 9-24-17-3

Publicity

Sec. 3. The bureau shall make available and publicize the anatomical gift program in a separate brochure and by other means the bureau considers necessary.

As added by P.L.2-1991, SEC.12. Amended by P.L.104-1991, SEC.2.

IC 9-24-17-4

Repealed

(Repealed by P.L.104-1991, SEC.11.)

IC 9-24-17-5

Repealed

(Repealed by P.L.104-1991, SEC.11.)

IC 9-24-17-6

Election to make anatomical gift; form

Sec. 6. The form described in section 1 of this chapter must allow the person making the gift to make an election under IC 29-2-16.1-4.

As added by P.L.104-1991, SEC.3. Amended by P.L.147-2007, SEC.2.

IC 9-24-17-7

Anatomical gift cards; persons less than 18 years of age; fees

Sec. 7. (a) Before an individual who is less than eighteen (18) years of age may make an anatomical gift, the bureau must obtain and document the consent required under section 8 of this chapter and the consent of the individual's parent or guardian.

(b) The bureau may charge a fee to an individual making an anatomical gift under section 1 of this chapter. The fee must equal an amount necessary to cover the cost of making available a document that acknowledges the making of the gift.

As added by P.L.104-1991, SEC.4. Amended by P.L.1-1992, SEC.54; P.L.29-2000, SEC.4.

IC 9-24-17-8

Signature of donor; symbol on license

Sec. 8. (a) Each anatomical gift made under this chapter must be made by the donor by acknowledging the making of the anatomical gift by signing the application form for the driver's license or identification card under section 1 of this chapter. If the donor cannot sign, the application form may be signed for the donor:

- (1) at the donor's direction and in the donor's presence; and
- (2) in the presence of two (2) witnesses who must sign the document in the donor's and each other's presence.

(b) The card must state that the document was signed in accordance with this section.

(c) The bureau shall place an identifying symbol on the face of the license or identification card to indicate that the person to whom the license or identification card is issued has acknowledged the making of an anatomical gift on the application form for the license or identification card as set forth in subsection (a).

(d) Revocation, suspension, or cancellation of the license or expiration of the license or identification card does not invalidate the anatomical gift.

(e) An anatomical gift is valid if the person acknowledges the making of the anatomical gift by signing the application form for a driver's license or identification card under subsection (a). No other acknowledgment is required to make an anatomical gift.

As added by P.L.104-1991, SEC.5. Amended by P.L.1-1992, SEC.55; P.L.135-1995, SEC.1; P.L.126-1995, SEC.2; P.L.29-2000, SEC.5; P.L.94-2002, SEC.3.

IC 9-24-17-9

Record of donors

Sec. 9. The bureau shall keep a record containing information concerning each individual who has made an anatomical gift under this chapter.

As added by P.L.104-1991, SEC.6. Amended by P.L.1-1992, SEC.56.

IC 9-24-17-10

Liability; state and health care providers

Sec. 10. The state and any health care provider (as defined by IC 34-18-2-14) are not liable for damages alleged to have occurred as a result of an individual making an anatomical gift under this chapter.

As added by P.L.104-1991, SEC.7. Amended by P.L.2-1993, SEC.67; P.L.1-1998, SEC.100; P.L.97-2004, SEC.39.

IC 9-24-17-11

Repealed

(Repealed by P.L.29-2000, SEC.9.)