

CHAPTER 49

AN ACT concerning medical examiners and organ donation and amending P.L.2018, c.62.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 12 of P.L.2018, c.62 (C.26:6B-12) is amended to read as follows:

C.26:6B-12 Examination, autopsy when decedent is an organ donor.

12. a. Notwithstanding any other provision of law to the contrary, if a decedent, whose death is under investigation pursuant to this act, is a donor of all or part of his body as evidenced by an advance directive for health care, will, card, or other document, or as otherwise provided in the "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77 et seq.), the Chief State Medical Examiner, Deputy Chief State Medical Examiner, county or intercounty medical examiner, or assistant county or intercounty medical examiner, who has notice of the donation shall perform an examination, autopsy, or analysis of tissues or organs only in a manner and within a time period compatible with their preservation for the purposes of transplantation.

b. A health care professional, who is authorized to remove an anatomical gift from a donor whose death is under investigation pursuant to this act, may remove the donated part from the donor's body for acceptance by a person authorized to become a donee, after giving notice to the Chief State Medical Examiner, Deputy Chief State Medical Examiner, county or intercounty medical examiner, or assistant county or intercounty medical examiner, as applicable, if the examination, autopsy, or analysis has not been undertaken in the manner and within the time provided for in this act. The Chief State Medical Examiner, Deputy Chief State Medical Examiner, county or intercounty medical examiner, or assistant county or intercounty medical examiner, as applicable, shall be present during removal of the anatomical gift if, in that medical examiner's judgment, those tissues or organs may be involved in the cause of death. In that case, the applicable medical examiner may request a biopsy of those tissues or organs or deny removal of the anatomical gift. The applicable medical examiner shall explain in writing the reasons for determining that those tissues or organs may be involved in the cause of death, and shall include that explanation in the records maintained pursuant to this act.

c. A health care professional, who is performing a transplant from a donor whose death is under investigation pursuant to this act, shall file with the Chief State Medical Examiner a report detailing the condition of the part of the body that is the anatomical gift and its relationship to the cause of death. If appropriate, the report shall include a biopsy or medically approved sample from the anatomical gift. The health care professional's report shall become part of the Chief State Medical Examiner's report.

2. This act shall take effect immediately.

Approved March 18, 2019.