

2018 Regular Session

HOUSE BILL NO. 577

BY REPRESENTATIVES LEGER, BAGLEY, CHANEY, HENSGENS, HORTON,
JACKSON, LEBAS, RICHARD, STAGNI, AND STOKES

VITAL STATISTICS: Provides relative to disclosure of certain vital records to organ
procurement organizations

1 AN ACT

2 To enact R.S. 40:41(L), relative to vital records disclosure; to provide for the disclosure of
3 certain vital records to organ procurement organizations; to provide for the form of
4 request by the organ procurement organizations; to provide for the duties of the state
5 registrar in disclosure of records; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:41(L) is hereby enacted to read as follows:

8 §41. Disclosure of records

9 * * *

10 L.(1) Upon written request, the state registrar shall issue a certified copy of
11 a death certificate to a representative of an organ procurement organization
12 designated for the state of Louisiana by the United States Department of Health and
13 Human Services, which presents a document of a gift as defined in R.S. 17:2351 for
14 the sole purpose of documenting donor eligibility in accord with the United States
15 Food and Drug Administration regulations and industry standards.

16 (2) The written request of the organ procurement organization shall be
17 transmitted by telefax, electronic delivery, or by United States mail.

18 (3) The written request shall contain all of the following:

1 (a) The organization's name and citation to the United States Department of
2 Health and Human Services website or correspondence evidencing its designation
3 as an organ procurement organization for the state.

4 (b) The donor's name.

5 (c) The donor's date of birth.

6 (d) The donor's date of death.

7 (e) The requestor's name.

8 (f) The requestor's telephone number.

9 (g) The requestor's date of request.

10 (h) A request that the certified copy be transmitted by telefax, electronic
11 delivery, or by United States mail.

12 (4) The information required by Paragraph (2) of this Subsection, together
13 with the documentation of a donor's anatomical gift, shall constitute sufficient proof
14 for the release of the death certificate.

15 (5) If the organization's requested form of transmittal is by telefax or
16 electronic delivery, the death certificate shall be accompanied by the state registrar's
17 verification that the death certificate is a duplicate of the original, the date the copy
18 of the death certificate was issued by the state registrar's representative, along with
19 his signature and title.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 577 Engrossed

2018 Regular Session

Leger

Abstract: Provides for vital record disclosure to a representative of an organ procurement organization.

Proposed law requires that the state registrar issue a certified copy of a death certificate to a representative of an organ procurement organization designated for the state of Louisiana by the United States Department of Health and Human Services. The death certificate shall be issued if the organ procurement organization presents documentation of a donor's anatomical gift defined in present law (R.S. 17:2351) for the purpose of documenting donor eligibility in accord with the United States Food and Drug Administration regulations and industry standards.

Proposed law requires a written request from the organ procurement organization and that it be transmitted by telefax, electronic delivery, or by United States mail.

Proposed law further requires that an organ procurement organization's written request contain all of the following:

- (1) The organization's name and citation to the United States Department of Health and Human Services website or correspondence evidencing its designation as an organ procurement organization for the state.
- (2) The donor's name.
- (3) The donor's date of birth.
- (4) The donor's date of death.
- (5) The requestor's name.
- (6) The requestor's telephone number.
- (7) The requestor's date of request.
- (8) A request that the certified copy be transmitted by telefax, electronic delivery, or by United States mail.

Proposed law provides that the organ procurement organization's written request, together with the documentation of a donor's anatomical gift, is sufficient proof for the release of the death certificate.

Proposed law requires that if the organ procurement organization's requested form of transmittal is by telefax or electronic delivery, the death certificate shall be accompanied by the state registrar's verification that the death certificate is a duplicate of the original, the date the copy of the death certificate was issued by the state registrar's representative, along with his signature and title.

(Adds R.S. 40:41(L))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Add that the organ procurement organizations shall transmit their written request by telefax, electronic delivery, or by United States mail.
2. Add the information required for the written request by an organ procurement organization contain the following:
 - (a) The organization's name and citation to the United States Department of Health and Human Services website or correspondence evidencing its designation as an organ procurement organization for the state.
 - (b) The donor's name.
 - (c) The donor's date of birth.
 - (d) The donor's date of death.
 - (e) The requestor's name.
 - (f) The requestor's telephone number.
 - (g) The requestor's date of request.
 - (h) A request that the certified copy be transmitted by telefax, electronic delivery, or by United States mail.
3. Add that the organ procurement organization's written request, together with the documentation of a donor's anatomical gift, is sufficient proof for the release of the death certificate.

4. Add that if the organ procurement organization's requested form of transmittal is by telefax or electronic delivery, the death certificate shall be accompanied by the state registrar's verification that the death certificate is a duplicate of the original, the date the copy of the death certificate was issued by the state registrar's representative, along with his signature and title.