

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 1075**

Short Title: Amend Uniform Anat. Gift Act.

(Public)

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Sponsors: Senators Rucho, Purcell, Forrester; Ballantine and Odom.

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Referred to: Health Care.

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April 5, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO AMEND THE DEFINITION OF THE TERMS "QUALIFIED  
3 INDIVIDUAL" AND "TISSUE BANK" IN THE UNIFORM ANATOMICAL  
4 GIFT ACT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 130A-403 reads as rewritten:

7 **"§ 130A-403. Definitions.**

8 The following definitions shall apply throughout this Part:

- 9 (1) "Bank or storage facility" means a facility licensed, accredited or  
10 approved under the laws of any state for storage or distribution of a  
11 human body or its parts.
- 12 (2) "Decedent" means a deceased individual and includes a stillborn infant  
13 or fetus.
- 14 (3) "Donor" means an individual who makes a gift of all or part of the  
15 individual's body.
- 16 (4) "Hospital" means a hospital licensed, accredited or approved under the  
17 laws of any state and a hospital operated by the United States  
18 government, a state or its subdivision, although not required to be  
19 licensed under state laws.
- 20 (5) "Part" means organs, tissues, eyes, bones, arteries, blood, other fluids  
21 and any other portions of a human body.
- 22 (6) "Physician" or "surgeon" means a physician or surgeon licensed to  
23 practice medicine under the laws of any state.
- 24 (7) "State" includes any state, district, commonwealth, territory, insular  
25 possession and any other area subject to the legislative authority of the  
26 United States of America.
- 27 (7a) "Tissue bank" means any facility or program operating in North  
28 Carolina that is certified by the American Association of Tissue Banks

1 or the Eye Bank Association of ~~America~~-America, or is registered with  
2 the Food and Drug Administration as a tissue bank, and is involved in  
3 procuring, furnishing, donating, or distributing corneas, bones, or other  
4 human tissue for the purpose of injecting, transfusing, or transplanting  
5 any of them into the human body. "Tissue bank" does not include a  
6 licensed blood bank.

7 (8) "Qualified individual" means any of the following individuals who ~~has~~  
8 have completed a course in eye enucleation and ~~has~~ have been certified  
9 as competent to enucleate eyes or perform in situ excision by an eye  
10 bank accredited by the Eye Bank Association of America or by an  
11 accredited school of medicine in this State:

- 12 a. An embalmer licensed to practice in this State;  
13 b. A physician's assistant approved by the North Carolina Medical  
14 Board pursuant to G.S. 90-18(13);  
15 c. A registered or a licensed practical nurse licensed by the Board  
16 of Nursing pursuant to Article 9A of Chapter 90 of the General  
17 Statutes;  
18 d. A student who is enrolled in an accredited school of medicine  
19 operating within this State and who has completed two or more  
20 years of a course of study leading to the awarding of a degree of  
21 doctor of medicine;  
22 e. A technician who has successfully completed a written  
23 examination administered by an eye bank operating within this  
24 State that is registered with the Food and Drug Administration  
25 and accredited by the Eye Bank Association of America. ~~by the~~  
26 ~~North Carolina Eye and Human Tissue Bank, Inc., certified by~~  
27 ~~the Eye Bank Association of America."~~

28 **SECTION 2.** This act is effective when it becomes law.