

ASSEMBLY BILL NO. 234—ASSEMBLYWOMAN GANSERT

MARCH 21, 2005

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Referred to Committee on Health and Human Services

SUMMARY—Revises various provisions relating to anatomical gifts. (BDR 40-860)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to anatomical gifts; transferring certain duties pertaining to anatomical gifts from the Bureau of Consumer Protection in the Office of the Attorney General to the University of Nevada School of Medicine; requiring the Department of Motor Vehicles to contract with an organization that registers persons desiring to make anatomical gifts to carry out the exchange of certain information between such organization and certain persons who apply for the issuance or renewal of a driver's license or identification card; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law requires the Bureau of Consumer Protection of the Office of the  
2 Attorney General to perform certain duties relating to anatomical gifts, which are  
3 donations of all or part of a human body effective on or after the death of the donor.  
4 These gifts are used for transplants or medical education purposes. The Bureau's  
5 duties include operation of educational and donor acknowledgment programs and,  
6 if sufficient money exists in the Anatomical Gift Account, the payment of costs of  
7 organ and tissue transplants. (NRS 460.100-460.150)

8 This bill transfers those duties from the Bureau to the University of Nevada  
9 School of Medicine.

10 Existing law requires the Department of Motor Vehicles to provide information  
11 relating to anatomical gifts to each holder of a driver's license or identification card  
12 who is interested in becoming a donor. Such information must include the  
13 procedure for registering as a donor with The Living Bank International. (NRS  
14 483.340, 483.840)

15 This bill replaces the reference to a specific donor registry with a reference to  
16 whichever donor registry the Department has a contract with at the time.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     **Section 1.** Chapter 460 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3     **Sec. 2.** *“Dean” means the Dean of the School of Medicine or*  
4 *his designee.*

5     **Sec. 3.** *“School of Medicine” means the University of*  
6 *Nevada School of Medicine.*

7     **Sec. 4.** NRS 460.100 is hereby amended to read as follows:  
8     460.100 As used in NRS 460.100 to 460.150, inclusive, *and*  
9 *sections 2 and 3 of this act*, unless the context otherwise requires,  
10 the words and terms defined in NRS 460.110 ~~[, 460.120 and~~  
11 ~~460.130]~~ *and sections 2 and 3 of this act* have the meanings  
12 ascribed to them in those sections.

13     **Sec. 5.** NRS 460.140 is hereby amended to read as follows:

14     460.140 1. The ~~[Bureau]~~ *School of Medicine* shall:

15     (a) Establish and carry out educational programs relating to  
16 anatomical gifts;

17     (b) Establish and carry out local and statewide programs to  
18 acknowledge publicly families of donors;

19     (c) Prepare and distribute information relating to anatomical  
20 gifts; and

21     (d) If the ~~[Consumer’s Advocate]~~ *Dean* determines that there is  
22 sufficient money in the Anatomical Gift Account created by NRS  
23 460.150, pay the costs for the transplantation of an organ or tissue,  
24 including the cost for any medicine required as a result of the  
25 transplantation.

26     2. As used in this section, “donor” has the meaning ascribed to  
27 it in NRS 451.525.

28     **Sec. 6.** NRS 460.150 is hereby amended to read as follows:

29     460.150 1. The ~~[Bureau]~~ *School of Medicine* may apply for  
30 and accept any gifts, grants, appropriations or donations to assist the  
31 ~~[Bureau]~~ *School of Medicine* in carrying out programs relating to  
32 anatomical gifts.

33     2. Any money received by the ~~[Bureau]~~ *School of Medicine*  
34 for programs relating to anatomical gifts must be deposited in the  
35 State Treasury for credit to the Anatomical Gift Account which is  
36 hereby created in the State General Fund. The ~~[Consumer’s~~  
37 ~~Advocate]~~ *Dean* shall administer the Account.

38     3. The money in the Account must only be used to:

39     (a) Carry out the provisions of NRS 460.140; and



1 (b) Pay the costs, not to exceed 5 percent of the average balance  
2 of the Account for each fiscal year, incurred by the ~~[Bureau]~~ *School*  
3 *of Medicine* to administer programs relating to anatomical gifts.

4 4. The money in the Account must:

5 (a) Be invested as money in other state accounts is invested; and

6 (b) Remain in the Account and does not revert to the State  
7 General Fund at the end of any fiscal year.

8 5. Each claim against the Account must be:

9 (a) Approved by the ~~[Consumer's Advocate]~~ *Dean* before the  
10 claim is paid; and

11 (b) Paid as other claims against the State are paid.

12 **Sec. 7.** Chapter 483 of NRS is hereby amended by adding  
13 thereto a new section to read as follows:

14 *To carry out the provisions of paragraph (c) of subsection 5 of*  
15 *NRS 483.340 and paragraph (c) of subsection 5 of NRS 483.840,*  
16 *the Department shall, on such terms as it deems appropriate, enter*  
17 *into a contract with an organization which registers as donors*  
18 *persons who desire to make anatomical gifts.*

19 **Sec. 8.** NRS 483.340 is hereby amended to read as follows:

20 483.340 1. The Department shall, upon payment of the  
21 required fee, issue to every qualified applicant a driver's license  
22 indicating the type or class of vehicles the licensee may drive. The  
23 license must bear a unique number assigned to the licensee pursuant  
24 to NRS 483.345, the licensee's social security number, if he has one,  
25 unless he requests that it not appear on the license, the name, date of  
26 birth, mailing address and a brief description of the licensee, and a  
27 space upon which the licensee shall write his usual signature in ink  
28 immediately upon receipt of the license. A license is not valid until  
29 it has been so signed by the licensee.

30 2. The Department may issue a driver's license for purposes of  
31 identification only for use by officers of local police and sheriffs'  
32 departments, agents of the Investigation Division of the Department  
33 of Public Safety while engaged in special undercover investigations  
34 relating to narcotics or prostitution or for other undercover  
35 investigations requiring the establishment of a fictitious identity,  
36 federal agents while engaged in undercover investigations,  
37 investigators employed by the Attorney General while engaged in  
38 undercover investigations and agents of the State Gaming Control  
39 Board while engaged in investigations pursuant to NRS 463.140. An  
40 application for such a license must be made through the head of the  
41 police or sheriff's department, the Chief of the Investigation  
42 Division of the Department of Public Safety, the director of the  
43 appropriate federal agency, the Attorney General or the Chairman of  
44 the State Gaming Control Board. Such a license is exempt from the  
45 fees required by NRS 483.410. The Department, by regulation, shall



1 provide for the cancellation of any such driver's license upon the  
2 completion of the special investigation for which it was issued.

3 3. Information pertaining to the issuance of a driver's license  
4 pursuant to subsection 2 is confidential.

5 4. It is unlawful for any person to use a driver's license issued  
6 pursuant to subsection 2 for any purpose other than the special  
7 investigation for which it was issued.

8 5. At the time of the issuance or renewal of the driver's license,  
9 the Department shall:

10 (a) Give the holder the opportunity to have indicated on his  
11 driver's license that he wishes to be a donor of all or part of his body  
12 pursuant to NRS 451.500 to 451.590, inclusive, or to refuse to make  
13 an anatomical gift of his body or part of his body;

14 (b) Give the holder the opportunity to have indicated whether he  
15 wishes to donate \$1 or more to the Anatomical Gift Account created  
16 by NRS 460.150; and

17 (c) Provide to each holder who is interested in becoming a donor  
18 information relating to anatomical gifts, including the procedure for  
19 ~~{registration}~~ *registering* as a donor with ~~{The Living Bank~~  
20 ~~International or its successor organization.}~~ *the organ donor*  
21 *registry with which the Department has entered into a contract*  
22 *pursuant to section 7 of this act.*

23 6. If the holder wishes to make a donation to the Anatomical  
24 Gift Account, the Department shall collect the donation and deposit  
25 the money collected in the State Treasury for credit to the  
26 Anatomical Gift Account.

27 7. The Department shall submit to ~~{The Living Bank~~  
28 ~~International, or its successor organization.}~~ *the organ donor*  
29 *registry with which the Department has entered into a contract*  
30 *pursuant to section 7 of this act* information from the records of the  
31 Department relating to persons who have drivers' licenses that  
32 indicate the intention of those persons to make an anatomical gift.  
33 The Department shall adopt regulations to carry out the provisions  
34 of this subsection.

35 **Sec. 9.** NRS 483.840 is hereby amended to read as follows:

36 483.840 1. The form of the identification cards must be  
37 similar to that of drivers' licenses but distinguishable in color or  
38 otherwise.

39 2. Identification cards do not authorize the operation of any  
40 motor vehicles.

41 3. Identification cards must include the following information  
42 concerning the holder:

43 (a) The name and sample signature of the holder.

44 (b) A unique identification number assigned to the holder that is  
45 not based on the holder's social security number.



- 1 (c) A personal description of the holder.
- 2 (d) The date of birth of the holder.
- 3 (e) The current address of the holder in this State.
- 4 (f) A colored photograph of the holder.

5 4. The information required to be included on the identification  
6 card pursuant to subsection 3 must be placed on the card in the  
7 manner specified in subsection 1 of NRS 483.347.

8 5. At the time of the issuance or renewal of the identification  
9 card, the Department shall:

10 (a) Give the holder the opportunity to have indicated on his  
11 identification card that he wishes to be a donor of all or part of his  
12 body pursuant to NRS 451.500 to 451.590, inclusive, or to refuse to  
13 make an anatomical gift of his body or part of his body;

14 (b) Give the holder the opportunity to indicate whether he  
15 wishes to donate \$1 or more to the Anatomical Gift Account created  
16 by NRS 460.150; and

17 (c) Provide to each holder who is interested in becoming a donor  
18 information relating to anatomical gifts, including the procedure for  
19 ~~{registration}~~ *registering* as a donor with ~~{The Living Bank~~  
20 ~~International, or its successor organization,}~~ *the organ donor*  
21 *registry with which the Department has entered into a contract*  
22 *pursuant to section 7 of this act.*

23 6. If the holder wishes to make a donation to the Anatomical  
24 Gift Account, the Department shall collect the donation and deposit  
25 the money collected in the State Treasury for credit to the  
26 Anatomical Gift Account.

27 7. The Department shall submit to ~~{The Living Bank~~  
28 ~~International, or its successor organization,}~~ *the organ donor*  
29 *registry with which the Department has entered into a contract*  
30 *pursuant to section 7 of this act* information from the records of the  
31 Department relating to persons who have identification cards issued  
32 by the Department that indicate the intention of those persons to  
33 make an anatomical gift. The Department shall adopt regulations to  
34 carry out the provisions of this subsection.

35 8. As used in this section, "photograph" has the meaning  
36 ascribed to it in NRS 483.125.

37 **Sec. 10.** NRS 460.120 and 460.130 are hereby repealed.

38 **Sec. 11.** The State Treasurer shall assist in the orderly  
39 transition of the administration of the Anatomical Gift Account from  
40 the Consumer's Advocate of the Bureau of Consumer Protection in  
41 the Office of the Attorney General to the Dean of the University of  
42 Nevada School of Medicine or his designee.

43 **Sec. 12.** This act becomes effective on January 1, 2006.



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**TEXT OF REPEALED SECTIONS**

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**460.120 “Bureau” defined.** “Bureau” means the Bureau of Consumer Protection in the Office of the Attorney General.

**460.130 “Consumer’s Advocate” defined.** “Consumer’s Advocate” means the Consumer’s Advocate of the Bureau of Consumer Protection.





