

26:6B-12
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 49

NJSA: 26:6B-12 (Revises standard for presence of medical examiner during removal of anatomical gift from decedent)

BILL NO: S2922 (Substituted for A4504)

SPONSOR(S) Joseph F. Vitale and others

DATE INTRODUCED: 9/17/2018

COMMITTEE: **ASSEMBLY:** Health & Senior Services

SENATE: Health, Human Services & Senior Citizens

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 1/31/2019

SENATE: 12/17/2018

DATE OF APPROVAL: 3/18/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

S2922

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A4504

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/JA

P.L. 2019, CHAPTER 49, *approved March 18, 2019*

Senate, No. 2922

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

3

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

6

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

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

21 b. A health care professional, who is authorized to remove an
22 anatomical gift from a donor whose death is under investigation
23 pursuant to this act, may remove the donated part from the donor's
24 body for acceptance by a person authorized to become a donee,
25 after giving notice to the Chief State Medical Examiner, Deputy
26 Chief State Medical Examiner, county or intercounty medical
27 examiner, or assistant county or intercounty medical examiner, as
28 applicable, if the examination, autopsy, or analysis has not been
29 undertaken in the manner and within the time provided for in this
30 act. The Chief State Medical Examiner, Deputy Chief State Medical
31 Examiner, county or intercounty medical examiner, or assistant
32 county or intercounty medical examiner, as applicable, shall be
33 present during removal of the anatomical gift if, in that medical
34 examiner's judgment, **[his presence is deemed necessary]** those
35 tissues or organs may be involved in the cause of death. In that
36 case, the applicable medical examiner may request a biopsy of those
37 tissues or organs or deny removal of the anatomical gift. The
38 applicable medical examiner shall explain in writing the reasons for
39 determining that those tissues or organs may be involved in the
40 cause of death, and shall include that explanation in the records
41 maintained pursuant to this act.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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

9 (cf: P.L.2018, c.62, s.12)

10

11 2. This act shall take effect immediately.

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STATEMENT

15

16 This bill revises the standard governing when the presence of the
17 Chief State Medical Examiner, Deputy Chief State medical
18 Examiner, county or intercounty medical examiner, or assistant
19 county or intercounty medical examiner, as applicable, is required
20 during removal of an anatomical gift from a donor whose death is
21 under investigation pursuant to the "Revised State Medical
22 Examiner Act." The law currently requires that the medical
23 examiner be present if, in the medical examiner's judgment, his
24 presence is deemed necessary. The bill requires that the medical
25 examiner be present during the removal of an anatomical gift when
26 in the medical examiner's judgment "those tissues or organs may be
27 involved in the cause of death".

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32 Revises standard for presence of medical examiner during
33 removal of anatomical gift from decedent.

SENATE, No. 2922

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2018

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman SERENA DIMASO

District 13 (Monmouth)

SYNOPSIS

Revises standard for presence of medical examiner during removal of anatomical gift from decedent.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/1/2019)

1 AN ACT concerning medical examiners and organ donation and
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11 to this act, is a donor of all or part of his body as evidenced by an
12 advance directive for health care, will, card, or other document, or
13 as otherwise provided in the "Revised Uniform Anatomical Gift
14 Act," P.L.2008, c.50 (C.26:6-77 et seq.), the Chief State Medical
15 Examiner, Deputy Chief State Medical Examiner, county or
16 intercounty medical examiner, or assistant county or intercounty
17 medical examiner, who has notice of the donation shall perform an
18 examination, autopsy, or analysis of tissues or organs only in a
19 manner and within a time period compatible with their preservation
20 for the purposes of transplantation.

21 b. A health care professional, who is authorized to remove an
22 anatomical gift from a donor whose death is under investigation
23 pursuant to this act, may remove the donated part from the donor's
24 body for acceptance by a person authorized to become a donee,
25 after giving notice to the Chief State Medical Examiner, Deputy
26 Chief State Medical Examiner, county or intercounty medical
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31 Examiner, county or intercounty medical examiner, or assistant
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33 present during removal of the anatomical gift if, in that medical
34 examiner's judgment, **[his presence is deemed necessary]** those
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36 case, the applicable medical examiner may request a biopsy of those
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38 applicable medical examiner shall explain in writing the reasons for
39 determining that those tissues or organs may be involved in the
40 cause of death, and shall include that explanation in the records
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42 c. A health care professional, who is performing a transplant
43 from a donor whose death is under investigation pursuant to this
44 act, shall file with the Chief State Medical Examiner a report
45 detailing the condition of the part of the body that is the anatomical

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23 involved in the cause of death".

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 2922

STATE OF NEW JERSEY

DATED: JANUARY 17, 2019

The Assembly Health and Senior Services Committee reports favorably Senate Bill No. 2922.

This bill revises the standard governing when the presence of the Chief State Medical Examiner, Deputy Chief State medical Examiner, county or intercounty medical examiner, or assistant county or intercounty medical examiner, as applicable, is required during removal of an anatomical gift from a donor whose death is under investigation pursuant to the “Revised State Medical Examiner Act.” The law currently requires that the medical examiner be present if, in the medical examiner’s judgment, his presence is deemed necessary. The bill requires that the medical examiner be present during the removal of an anatomical gift when in the medical examiner’s judgment “those tissues or organs may be involved in the cause of death.”

As reported by the committee, Senate Bill No. 2922 is identical to Assembly Bill No. 4504 which was reported by the committee on this date.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2922

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2018

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2922.

This bill revises the standard governing when the presence of the Chief State Medical Examiner, Deputy Chief State medical Examiner, county or intercounty medical examiner, or assistant county or intercounty medical examiner, as applicable, is required during removal of an anatomical gift from a donor whose death is under investigation pursuant to the “Revised State Medical Examiner Act.” The law currently requires that the medical examiner be present if, in the medical examiner’s judgment, his presence is deemed necessary. The bill requires that the medical examiner be present during the removal of an anatomical gift when in the medical examiner’s judgment “those tissues or organs may be involved in the cause of death.”

ASSEMBLY, No. 4504

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED SEPTEMBER 27, 2018

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman SERENA DIMASO

District 13 (Monmouth)

SYNOPSIS

Revises standard for presence of medical examiner during removal of anatomical gift from decedent.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/18/2019)

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ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4504

STATE OF NEW JERSEY

DATED: JANUARY 17, 2019

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As reported by the committee, Assembly Bill No. 4504 is identical to Senate Bill No. 2922 which was reported by the committee on this date.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

03/18/2019

TRENTON – Today, Governor Phil Murphy signed the following bills into law

AJR-149 (Schepisi, Jasey, Johnson/Pou, T. Kean) – Designates September of each year as “Brain Aneurysm Awareness Month” in New Jersey.

AJR-164 (Benson, Zwicker, Lampitt/Diegnan, T. Kean) – Establishes "New Jersey Advanced Autonomous Vehicle Task Force."

A-591 (Moriarty, Reynolds-Jackson, Jimenez/Pou, Cruz-Perez) – Prohibits discrimination against cash-paying consumers.

A-1400 (A.M. Bucco, Caputo, DeCroce, Johnson/A.R. Bucco, Gopal) – Revises law governing Class Three special law enforcement officer.

A-4073 (Holley, Carter, Kennedy, Quijano/Scutari, Cryan) – Designates portion of State Highway Route 27 in Union County as "Jerry Green Memorial Highway."

A-4177 (Pintor Marin, Mukherji, Downey/Singleton, Ruiz) – Allows county homelessness trust funds to be used for code blue emergency shelter services.

A-4701 (Spearman, Chiaravalloti, Mukherji, Quijano/Ruiz, Cunningham) – Requires DHS to establish electronic portal to promote surplus food donation collaboration among nonprofit organizations, gleaners, and food retailers.

A-4734 (Land, Taliaferro, Mukherji/Beach, C.A. Brown) – Appropriates \$1,190,349 from constitutionally dedicated CBT revenues to NJ Historic Trust for historic site management grants to certain historic preservation projects and associated administrative expenses.

S-121 (Weinberg, Gill/McKeon, Bramnick, Vainieri Huttie) – Bars provisions in employment contracts that waive rights or remedies; bars agreements that conceal details relating to discrimination claims.

S-641 (Beach, Bateman/Munoz, Thomson, Lampitt) – Upgrades penalty for failing to report act of sexual abuse against child.

S-746 (Diegnan, Cruz-Perez/Vainieri Huttie, Pinkin, Chiaravalloti) – Permits certain audiologists to dispense and fit hearing aids.

S-1073 (Smith, Bateman, Codey, Greenstein/McKeon, Pinkin, Tucker) – Authorizes municipalities, counties, and certain authorities to establish stormwater utilities.

S-1773 (Diegnan, Gopal/Calabrese, Chiaravalloti, Tully) – Requires display of identifying information on rear of school bus so public may report bus driver misconduct.

S-2454 (Madden/Murphy, Houghtaling, Downey) – Concerns prevailing wage requirements for certain fabrication.

S-2712 (Ruiz, Madden/Lampitt, Murphy) – Mandates certain training for DOE arbitrators.

S-2714 (Ruiz, Madden/Lampitt, Armato, Murphy) – Requires school districts to notify State Board of Examiners when teaching staff member fails to report child abuse for determination of revocation or suspension of certificate.

S-2715 (Madden, Ruiz/Lampitt, Reynolds-Jackson) – Requires Attorney General to develop protocol for retaining footage from school surveillance system.

S-2773 (Pou/Greenwald, Lopez, Vainieri Huttle) – Clarifies definition of health care service firms and homemaker-home health aides.

S-2922 (Vitale, O'Scanlon/Vainieri Huttle, DiMaso) – Revises standard for presence of medical examiner during removal of anatomical gift from decedent.

Governor Murphy also announced that he has conditionally vetoed the following bills:

A-4904 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney) – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances.

[Copy of Statement on A-4904](#)

S-2129 (Cruz-Perez, Turner/Wimberly, Armato, Lopez, Mazzeo) – Directs certain unclaimed electric and gas utility deposits in Unclaimed Utility Deposits Trust Fund and societal charge revenues be paid to Statewide nonprofit energy assistance organizations meeting certain eligibility criteria.

[Copy of Statement on S-2129](#)

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