S T A T E O F N E W Y O R K

6588

2011-2012 Regular Sessions

I N A S S E M B L Y

March 22, 2011

Introduced by M. of A. CONTE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring only one physician to certify the death of a transplant donor

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

Section 1. Subdivision 2 of section 4306 of the public health law, as amended by chapter 589 of the laws of 1990, is amended to read as follows:

2. When a donor is determined dead based on irreversible cessation of circulatory and respiratory functions, the time of death shall be certified by a physician. Such physician may not participate in the procedure to remove or transplant the body part. In all other cases the time of death shall be certified by the physician who attends the donor at his death [and one other physician, neither of whom shall]. SUCH PHYSICIAN MAY NOT participate in the procedure for removing or transplanting the part.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD10125-01-1