§ 4351. Duties of hospital administrators, organ procurement organizations, eye banks or tissue banks. 1. (a) When the death of a person in a hospital has occurred or is imminent, the hospital shall contact the organ procurement organization in order to make a preliminary determination of the suitability of the person for organ donation, except where not required by paragraph (c) of this subdivision. If a hospital has ascertained that the individual expressed a desire not to receive life-sustaining treatment, pursuant to section forty-three hundred six-b of this chapter, the hospital shall make the organ procurement organization aware.

(b) Where contact with the organ procurement organization is not required under criteria developed regionally by the organ procurement organization subject to the approval of such criteria by the department, the hospital shall contact the appropriate eye bank or tissue bank, except where not required by paragraph (c) of this subdivision.

(c) The organ procurement organization, in consultation with the tissue procurement providers, may issue criteria under which a hospital shall not be required to make the contact under this subdivision.

(d) All hospitals shall select at least one eye bank or tissue bank for the procurement of tissue, as defined in section forty-three hundred sixty of this chapter. A hospital shall notify the organ procurement organization of its choice of tissue procurement provider. If a hospital selects more than one eye bank or tissue bank, it may specify a rotation of referrals for purposes of tissue procurement.

2. Where the organ procurement organization, eye bank or tissue bank is contacted, it shall, in consultation with the hospital, after appropriate medical screening (which may include serological testing if applicable) determine suitability for organ, eye and tissue donation, as appropriate. Where an organ procurement organization is contacted, it shall contact the appropriate eye bank or tissue bank with respect to suitability for eye or tissue donation.