

State of Misconsin 1995 - 1996 LEGISLATURE

1995 ASSEMBLY BILL 480

- July 5, 1995 Introduced by Representatives F. LASEE, UNDERHEIM, URBAN, WASSERMAN, JOHNSRUD, LADWIG, GUNDERSON, BOCK, LAZICH, ROBSON, SCHNEIDERS, PORTER, HAHN, HARSDORF and SILBAUGH, cosponsored by Senators BUETTNER and MOEN. Referred to Committee on Health.
- 1 AN ACT to amend 157.06 (2) (d), 157.06 (4) (a) 4. and 157.06 (8) (c); and to create
- 2 157.06 (1) (j) of the statutes; **relating to:** authorizing technicians to remove
- 3 donated human body parts.

Analysis by the Legislative Reference Bureau

Under current law, a person may make an anatomical gift that authorizes, at death, the donation of all or a part of the person's body for use by another. In addition, a coroner or medical examiner may, under certain circumstances, permit the removal of a body part from a person who has died. In both of these circumstances, the removal of the body part must be made by a licensed physician, except that an eye may be removed by an enucleator who has completed certain training and is certified.

This bill permits a technician to remove a human body part that has been donated by anatomical gift or authorized for removal by a coroner or medical examiner. The technician must have been appropriately trained to remove or process the body part and may act only under the direction or supervision of a physician. The bill does not change requirements for removal of an eye by a physician or a trained, certified enucleator.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4	SECTION 1. 157.06 (1) (j) of the statutes is created to read:
5	157.06 (1) (j) "Technician" means an individual who is appropriately trained

6 to remove or process a part, under the direction or supervision of a physician.

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1	SECTION 2. 157.06 (2) (d) of the statutes is amended to read:
2	157.06 (2) (d) A document of gift may designate a particular physician to carry
3	out the appropriate procedures. In the absence of a designation or if the designee is
4	not available, the donee or other person authorized to accept the anatomical gift may
5	employ or authorize any physician, technician or enucleator to carry out the
6	appropriate procedures.
7	SECTION 3. 157.06 (4) (a) 4. of the statutes is amended to read:
8	157.06 (4) (a) 4. The removal will be by a physician <u>or a technician</u> , except that
9	in the case of eyes, by a physician or by an enucleator.
10	SECTION 4. 157.06 (8) (c) of the statutes is amended to read:
11	157.06 (8) (c) If there has been an anatomical gift, a physician <u>or a technician</u>
12	may remove any donated parts of the body and an enucleator may remove any
13	donated eyes or parts of eyes, after determination of death by a physician. Any
14	individual acting under the direction of a physician and any funeral director licensed
15	under ch. 445 may perform the functions of an enucleator under this section if he or
16	she has completed a course in eye enucleation and holds a valid certification of
17	competence from a medical college approved by the medical examining board under
18	s. 448.05 (2). A certificate of competence shall be valid for 3 years.
19	(END)