

BILL ANALYSIS

Senate Research Center
79R5435 SKB-D

S.C.R. 14
By: Wentworth et al.
Jurisprudence
3/30/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The University of Texas Medical Branch at Galveston (UTMB) administers the Willed Body Program that is overseen by the Anatomical Board of the State of Texas. Through that program, an individual may will his or her body to be used by medical students and scientific researchers for the advancement of medical science as provided by the Health and Safety Code. The individuals named in S.C.R. 14 are family members of deceased individuals who willed their bodies to science, and have filed lawsuits against UTMB and the Anatomical Board of the State of Texas regarding the Willed Body Program. Specifically, the individuals claim that one or more of UTMB's employee's mishandled bodies willed or donated to UTMB and commingled the ashes of bodies, making it impossible to determine which ashes should be returned to designated family members. In addition, they claim that one or more employees of UTMB's Willed Body Program transferred or sold willed or donated bodies or parts of bodies to out-of-state recipients and failed to request that the recipients or buyers of the bodies return the ashes to UTMB for return to the families. S.C.R. 14 waives the state's sovereign immunity and grants permission to the named individuals to sue UTMB and the Anatomical Board of the State of Texas.

RESOLVED

By the 79th Legislature of the State of Texas that certain named persons are granted permission to sue the State of Texas, The University of Texas Medical Branch at Galveston, and the Anatomical Board of the State of Texas for any and all causes of action, including breach of contract, that relate to or arise from the facts and circumstances described in this resolution, subject to Chapter 107 (Permission to Sue the state), Civil Practices and Remedies Code; and be it further resolved that the president of The University of Texas Medical Branch at Galveston and the chairman of the Anatomical Board of the State of Texas be served process as provided by Section 107.002(a)(3) (Effect of Grant of Permission), Civil Practices and Remedies Code.