

## **BILL ANALYSIS**

Senate Research Center  
82R132 SJM-D

S.B. 187  
By: Nelson  
Health & Human Services  
2/9/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In October 2007, a truck full of embalmed human heads used for medical training was found on a Texas highway without any written documentation. Surprisingly, there is currently no written chain of custody documentation required for the transport of bodies and body parts in Texas.

This bill requires more stringent documentation for the transportation of bodies and body parts. It also requires the creation of an informed consent document for people making an anatomical donation for research purposes so that consumers are fully informed about their options.

As proposed, S.B. 187 amends current law relating to human body and anatomical specimen donation.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Anatomical Board of the State of Texas is modified in SECTION 2 (Section 691.031, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 691, Health and Safety Code, by adding Section 691.0225, as follows:

Sec. 691.0225. INFORMED CONSENT DOCUMENT. Requires the Anatomical Board of the State of Texas (board) to develop an informed consent document to inform a person making a gift of a decedent's body or anatomical specimen for purposes of education or research of the risks and benefits associated with donation. Requires the board to make the document available on the board's Internet website.

SECTION 2. Amends Section 691.031(a), Health and Safety Code, as follows:

(a) Requires the board to adopt rules to ensure that:

- (1) each body or anatomical specimen received or distributed by the board is properly transported;
- (2) a label with the statement "CONTENTS DERIVED FROM DONATED HUMAN TISSUE" is affixed to the container in which the body or anatomical specimen is transported; and
- (3) each person who has control or possession of a body or anatomical specimen satisfactorily completes the information required on a chain-of-custody form prescribed by the board, maintains a copy of the form for the person's records, and transfers the form to any other person to whom control or possession of the body or anatomical specimen is transferred.

SECTION 3. Requires the board, not later than January 1, 2012, to:

(1) adopt the rules and form required under Section 691.031(a), Health and Safety Code, as amended by this Act; and

(2) develop the informed consent document required under Section 691.0225, Health and Safety Code, as added by this Act.

SECTION 4. Effective date: September 1, 2011.