

SESSION OF 2008

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2700**

As Agreed to April 4, 2008

**Brief\***

HB 2700, dealing with the removal of dead bodies, would allow the body to be taken to a federally certified organ procurement organization serving Kansas in addition to the currently listed facilities. The release of a body to be transported to an organ procurement organization could be released only in the following priority order:

- An agent of the decedent who could have made an anatomical gift immediately before the decedent's death;
- The spouse of the decedent;
- Adult children of the decedent;
- Parents of the decedent;
- Adult siblings of the decedent;
- Adult grandchildren of the decedent;
- Grandparents of the decedent;
- Guardians of the decedent;
- An adult who exhibited special care and concern for the decedent and who was familiar with the decedent's personal values; and
- Any other person with the authority to dispose of the decedent's body.

When there is more than one member of the listed categories, except for the last one, and there is a known objection by another member, the gift could only be made by a majority of the members of the category. A person could not

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make an anatomical gift if, at the time of the decedent's death, a person in a prior category is available to make or object to the making of an anatomical gift.

### **Conference Committee Action**

The Conference Committee agreed to do the following:

- Place the provisions of HB 2678, dealing with the removal of dead bodies, into HB 2700; and
- Insert the original provisions of HB 2700 into SB 411.

### **Background**

Rob Linderer, Chief Executive Officer, Midwest Transplant Network, expressed support for the bill. Mack Smith, Executive Secretary, Kansas State Board of Mortuary Arts also spoke in favor of the bill.

There was no opposition to the bill.

Originally, HB 2700, as amended, would extend the sentencing pilot program, regarding the use of the LSI-R assessment tool, in Johnson County for two years, to July 1, 2010. Current law provides for an expiration of the program on July 1, 2008. The House Committee passed the bill as introduced and placed it on the Consent Calendar. The Senate Committee amended the bill to extend the sentencing pilot program in Johnson County for two years rather than one year.

The House Committee on HB 2678, dealing with removal of dead bodies, amended the bill by inserting the provision on the priority of persons who could make anatomical gifts.

The fiscal note, on the bill as introduced, indicates the costs for this project would continue to be paid from existing resources.

removal of dead bodies; organ procurement;