

April 24, 2009

PROPOSED AMENDMENTS TO SENATE BILL NO. 2195

That the House recede from its amendments as printed on page 932 of the Senate Journal and page 1010 of the House Journal and that Senate Bill No. 2195 be amended as follows:

Page 1, line 1, after "reenact" insert "subsection 3 of section 23-06.6-13 and"

Page 1, line 2, after the first "to" insert "revisions and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 3 of section 23-06.6-13 of the North Dakota Century Code is amended and reenacted as follows:

3. When a hospital refers an individual at or near death to a procurement organization, the organization may conduct any reasonable examination necessary to ensure the medical suitability of a part that is or could be the subject of an anatomical gift for transplantation, therapy, research, or education from a donor or a prospective donor. During the examination period, measures necessary to ensure the medical suitability of the part may not be withdrawn unless the hospital or procurement organization knows that the individual expressed a contrary intent or the measures are contrary to reasonable medical standards."

Page 2, line 4, after the underscored period insert "If involved in resolving the conflict, the agent or other person authorized by law shall make the decision in accordance with the agent's or person's knowledge of the prospective donor's wishes and religious or moral beliefs as stated orally or as contained in the declaration or advance health care directive."

Page 2, line 5, after the underscored period insert "If the conflict is not resolved expeditiously, the direction of the declaration or advance directive controls."

Page 2, line 10, replace "contraindicated" with "contrary to reasonable medical standards"

Page 2, line 11, remove "by appropriate end-of-life care"

Renumber accordingly