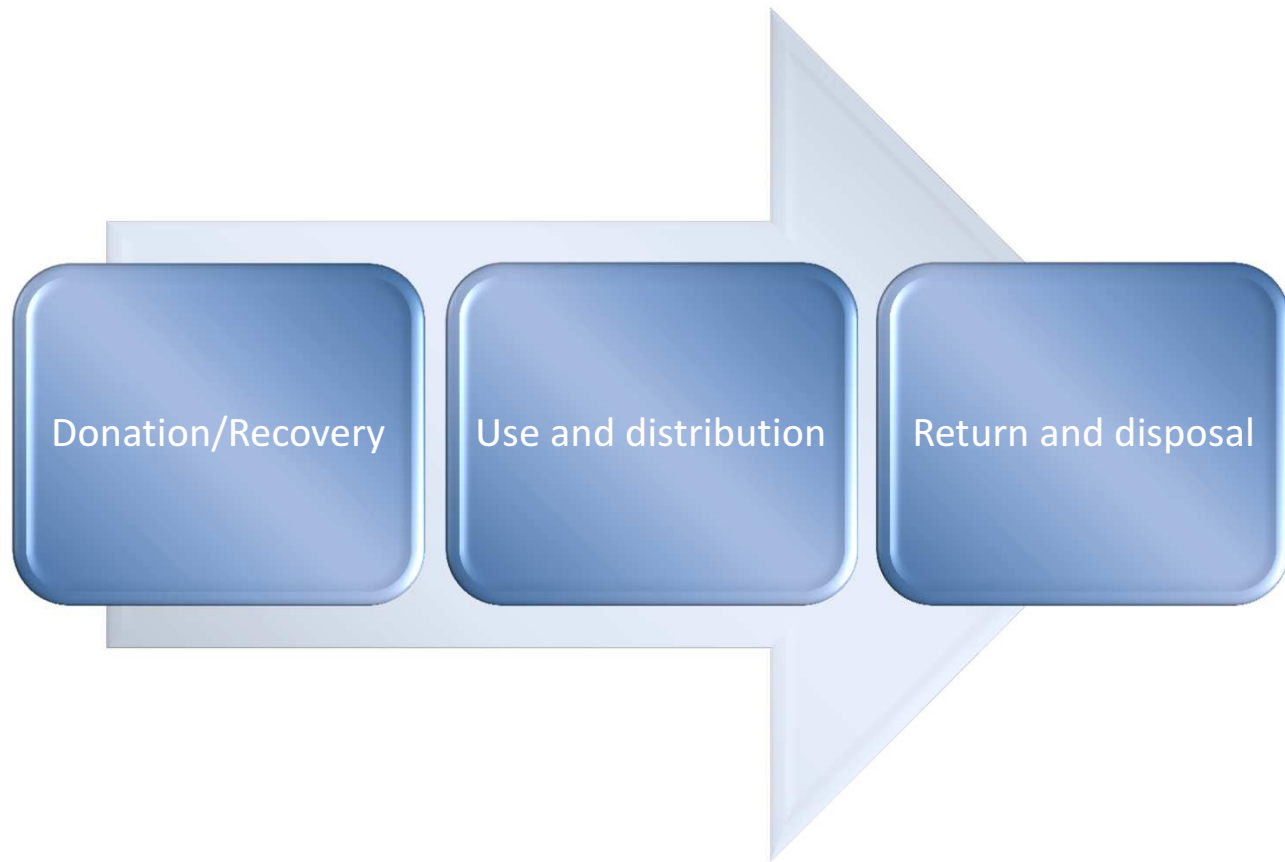


Christina Strong
Attorney
Law Offices of
Christina Strong

Goals

- Participants should be able to:
 - Identify areas of legal risk in operations
 - Cite sources of legal guidance and regulation, state and federal
 - Converse about legal trends, developing issues



WHO are
you...to accept
a donation

UAGA Defines

Tissue Bank

Medical School

Other
(Accredited/
Licensed)

Document of Gift-

Clear, Compliant, Complete

Who is doing the giving,
What are they giving,
What is the Permitted use,
What impact does this have
on the Givers,
the Survivors,
Transport
Disposition--

Source:UAGA

Proving the Gift

Witness = Testimony

- Proves that the signer was who the signer said he or she was
- May testify as to apparent sound mind
- What good is a witness after the fact?

Standards for the Document of Gift

ADEQUATE INFORMATION –

Information sufficient for the Donor to make a voluntary decision regarding the gift...“Core Elements” ...and such additional information as [they] request...

-

Source, Model Elements
AATB NTAD

CORE ELEMENTS



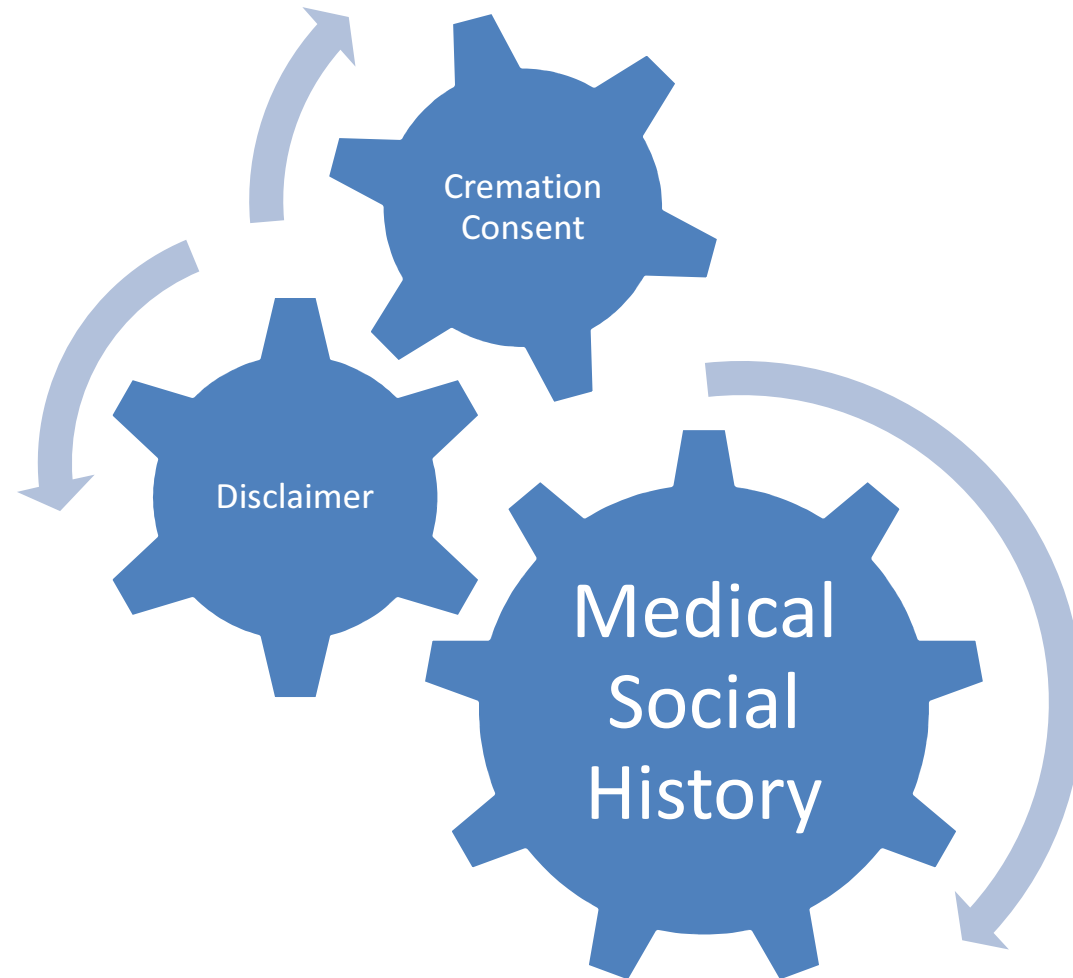
- Name of the Donor;
- Name, address, and telephone number and his/her relationship to the Donor;
- Explanation that the tissue is a gift, and no valuable consideration for it;
- Description of the general types of tissue to be recovered;
- Description of the permitted use(s) of the recovered tissues;
- Explanation that recovery of tissue requires certain actions, and the Document of Gift/Authorization thus specifically them authorizes.....

GIVENS:

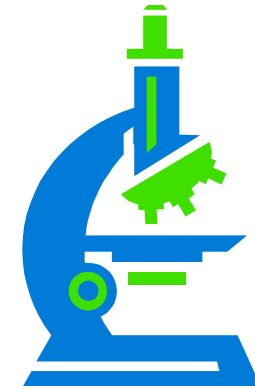
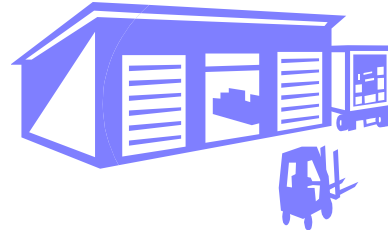
- Access to, and disclosure of, the Donor's medical and other relevant records;
- Testing and reporting
- Removal of specimens;
- Medical Examiner Release; and
- Specific Requirements such as transport of body and parts, archiving of samples, disarticulation.



Additional Upfront Work



Use and Distribution



LOCATION
location
location



Where to Learn: The Hotel Issue

Public/ Non-Lab

- Contamination of Public Space
- Radiation Safety
- Dignity/Security
- Airborne Pathogens
- Surface Pathogens
- Cost
- Accessibility
- Hazardous Waste/Disposal
- Poor Outcomes

Private/ Lab

- Compare the Risks....

- Sources of Law:
 - Other than Environmental and Employment (OSHA) Statutes and Regulations, no federal law
 - State Law concerning:
 - Radiation
 - Pathogens
 - Display of Corpses
 - Hotel Licensing
 - Local Nuisance
 - Environmental



Get A Kit
Make A Plan
Be Prepared

emergency.cdc.gov



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Although pathogens may be present in cadavers and in discharged blood and body fluids, little evidence exists that disease agents are transmitted to the public from these sources (U.S. Army 2001a; Harvey et al. 2002; Morgan 2004).

〃

-Disposing of Liquid Waste from Autopsies in Tsunami-Affected Areas: Interim Guidance from the Centers for Disease Control and Prevention 2005

Return and Disposal

What do we return?

To Whom Is it Returned?

And from whom did we get permission to Cremate?



“(5) If a nontransplant anatomical research and education recovery organization returns any part of the remains of a deceased person to a friend or relative of the deceased person, the organization shall disclose to the friend or relative whether all or part of the deceased person’s body is being returned”

Source: Oregon proposed HB2378



TRENDS?

TRANSPARENCY.

A nontransplant anatomical recovery organization shall require a donor to sign a consent form, witnessed by two persons, that notifies the donor that the donor's body may be dismembered and that body parts may be donated to different locations

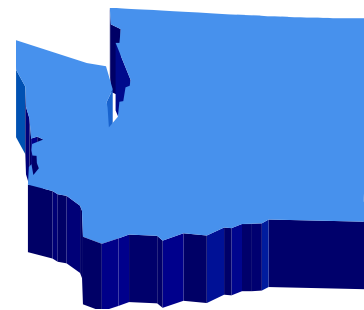
-Oregon Proposed HB 2378

TRENDS? CONTROL.

RCW 68.64.100 (1) An anatomical gift may be made to the following persons....

(1)An anatomical gift may be made to the following persons named in the document of gift:

(a) For research or education: A hospital; an accredited medical school, dental school, college, or university;
or an organ procurement organization;



TRENDS?

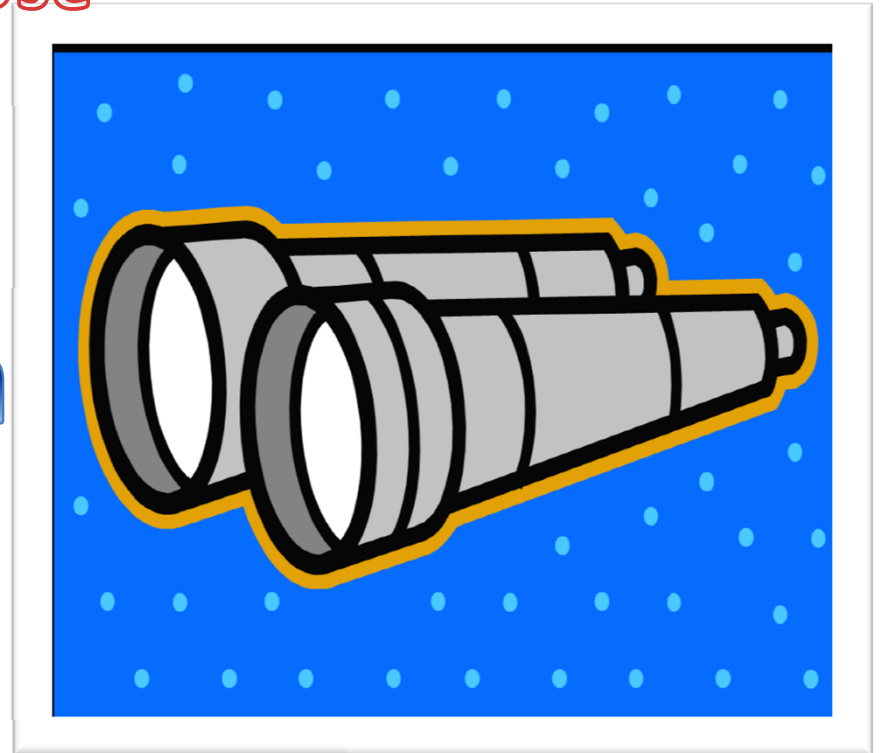
International Use

Cybersecurity Risks

Research

New accreditors

Required Accreditation



An Association of Bioskills Labs?!!

