

SB0363



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0363

Introduced 2/19/2021, by Sen. Patricia Van Pelt

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.935 new

Creates the Non-Transplant Organ Donation Regulation Act. Requires non-transplant organ donation organizations that acquire or transfer human bodies or human body parts for education, research, or the advancement of medical, dental, or mortuary science to register with the office of the Secretary of State and be licensed by the Department of Public Health. Contains requirements for license application, accreditation, renewal, and fees. Provides that the Department may deny, suspend, or revoke a license; assess civil penalties; and perform inspections under the Act. Provides requirements for donor consent forms, identification of donated human bodies or human body parts, and other records. Contains requirements regarding the labeling, packaging, and final disposition of human bodies or human body parts under the Act. Provides disciplinary action for violation of the Act. Contains other provisions. Effective immediately.

LRB102 03894 CPF 13909 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Non-Transplant Organ Donation Regulation Act.

6 Section 5. Definitions. As used in this Act:

7 "Accrediting body" means a nationally recognized agency,
8 approved by the Department, that provides certification for a
9 business organization operating a non-transplant organ
10 donation organization.

11 "Department" means the Department of Public Health.

12 "Director" means the Director of Public Health.

13 "Distribution" means a process that includes selection and
14 evaluation of intended use of non-transplant anatomical
15 material or a non-transplant anatomical donation, a human
16 body, or human body part for release to an education facility
17 or a research facility according to State law.

18 "Donor" means a person who has knowingly consented in
19 accordance with applicable law to the transfer of a person's
20 deceased body or body part, not for use in transplantation,
21 for education, research, or the advancement of medical,
22 dental, or mortuary science.

23 "Donor consent form" means a legal record of a gift of

1 non-transplant anatomical material permitting and defining
2 acquisition and use of non-transplant anatomical material for
3 education and research, such as a document of authorization,
4 gift, or gift and authorization.

5 "Entity" means a non-transplant organ donation
6 organization that is accredited, licensed, or approved under
7 federal law or the laws of this State to engage in the
8 recovery, screening, testing, processing, distribution, or
9 storage of human bodies or body parts.

10 "Exceptional release" means non-transplant anatomical
11 material that is approved for usage before a donor
12 acceptability assessment or by a researcher requesting
13 non-transplant anatomical material that would not normally
14 meet the established acceptability criteria.

15 "Environmental services" means activities such as
16 housekeeping, laundry, facility maintenance, or equipment
17 maintenance.

18 "Final disposition" means the final disposal of
19 non-transplant anatomical material or a non-transplant
20 anatomical donation through incineration, cremation,
21 bio-cremation, burial, full depletion by virtue of a
22 particular use, or by another legal means.

23 "Education" means the use of a human body or body parts for
24 teaching or training individuals, including, but not limited
25 to, medical, dental, or mortuary science students or
26 professionals, with regard to the anatomy and characteristics

1 of the human body, disease detection, and such other uses as
2 may be specified by the Department by rule.

3 "Human body" means a deceased human body or non-transplant
4 anatomical donation.

5 "Human body part" or "body part" means an organ, tissue,
6 eye, bone, blood vessel, or any other portion of a human body
7 that is subject to an anatomical gift or other transfer made
8 under State law. "Human body part" does not include:

9 (1) blood drawn for medical purposes; or

10 (2) a growing cell line.

11 "Institution" means a facility established by law for the
12 purpose of education, research, or the advancement of medical,
13 dental, or mortuary science.

14 "Licensee" means a person to whom the Department has
15 issued a license to operate a non-transplant organ donation
16 organization.

17 "Misuse" means to use non-transplant anatomical material
18 and non-transplant anatomical donations for purposes other
19 than education or research.

20 "Non-transplant anatomical donation" means a donation of a
21 whole body, organ, or tissue authorized and used for education
22 and research prior to release to distribution inventory.

23 "Non-transplant anatomical material" means a whole body or
24 part of a body donated for use in education or research that
25 has been prepared, packaged, labeled, and released to
26 distribution inventory.

1 "Non-transplant organ donation organization" means an
2 entity that is accredited, licensed, or approved under federal
3 law or State law to engage in the recovery, screening,
4 testing, processing, distribution, or storage of human bodies
5 or body parts for purposes of education, research or the
6 advancement of medical, dental, or mortuary science.

7 "Research" does not include an autopsy or examination
8 conducted as part of a criminal investigation.

9 "Storage" means a designated area that contains equipment,
10 instruments, and supplies necessary to maintain non-transplant
11 anatomical donations or non-transplant anatomical material
12 until distribution or final disposition.

13 "Transfer" means to move from a non-transplant organ
14 donation organization to an institution.

15 Section 10. Registration. A non-transplant organ donation
16 organization established by law to conduct business in the
17 State of Illinois that acquires or transfers a human body or
18 human body part for education, research, or the advancement of
19 medical, dental, or mortuary science, and not for use in human
20 transplantation, shall register with the office of the
21 Secretary of State and be licensed by the Department at such
22 time and in such manner as the Department may require.

23 Section 15. Contents of license application. An applicant
24 for licensure or renewal of license under this Section shall

1 submit an application to the Department containing such
2 information as the Department may require by rule on the
3 activities to be carried out pursuant to registration. Unless
4 otherwise set forth by administrative rule, the application
5 shall include:

6 (1) the name of the applicant, including all trade
7 names under which the applicant conducts business;

8 (2) the date on which the applicant first began or
9 will begin commencing activities described in this Act;

10 (3) a list of all addresses at which the applicant
11 conducts business;

12 (4) a description of the premises and equipment used
13 by the applicant;

14 (5) a description of the types of service provided by
15 the applicant;

16 (6) identification of all officers and administrators
17 of the applicant;

18 (7) an attestation that the applicant will keep
19 records in accordance with the requirements of this Act;

20 (8) an attestation that the applicant will label and
21 package all human bodies or human body parts in accordance
22 with the requirements of this Act; and

23 (9) an acknowledgment that the Department will be
24 permitted to inspect the premises and records of the
25 applicant as to the items and in the manner prescribed in
26 this Act.

1 Section 20. Accreditation; licensure; renewal; fees;
2 penalties; enforcement.

3 (a) An entity may not act as a non-transplant organ
4 donation organization in this State unless the entity is
5 accredited and licensed by the Department as a non-transplant
6 organ donation organization. The entity shall apply in writing
7 to the Department on a form specified by the Director, which
8 shall include all information requested in the application,
9 and shall pay the fees prescribed by the Department by rule.

10 (b) The Director shall grant a license to an entity if: (1)
11 the organization is accredited by a nationally recognized
12 accrediting agency that is approved by the Department and
13 maintains full accreditation with the accrediting agency; and
14 (2) the entity meets other requirements prescribed by the
15 Department by rule.

16 (c) Each non-transplant organ donation organization
17 applying for licensure or license renewal shall pay all
18 applicable fees as prescribed by the Department by rule. All
19 fees collected for the licensure and license renewal of
20 non-transplant organ donation organizations shall be deposited
21 in the Public Health Licensing Fund to be used by the
22 Department for the administration and enforcement of this Act.

23 (d) The Director may sanction, impose civil penalties on,
24 suspend the license of, or revoke the license of a
25 non-transplant organ donation organization and may sanction or

1 impose civil penalties on any person who is an owner, officer,
2 agent, or employee of a non-transplant organ donation
3 organization if the person is in or continues to be in
4 violation of this Act or rules adopted by the Department under
5 this Act.

6 (e) Any person or entity operating as a non-transplant
7 organ donation organization without proper accreditation or
8 licensure in this State shall be subject to criminal
9 prosecution and civil penalties as provided under Section 80
10 and any applicable rules.

11 Section 25. Other fees.

12 (a) The Department shall establish a fee for licensure
13 under Section 10 and renewal under Section 30.

14 (b) The Department shall determine the amount of licensing
15 fees under this Act, taking into consideration, among other
16 things, the projected implementation, enforcement, and
17 inspection costs associated with this Act.

18 (c) Every fine accruing from a conviction under this Act
19 shall be paid into the common school fund of the county in
20 which the offense was committed.

21 Section 30. License renewal. The Department shall require
22 that the license of an applicant be renewed by the applicant
23 annually.

1 Section 35. Change of information.

2 (a) Not later than 30 days after any change of any
3 information listed under Section 15, an applicant or licensee
4 shall notify the Department of the change in writing as
5 prescribed by the Department.

6 (b) A licensee shall notify the Department in writing at
7 least 30 calendar days before the date of:

8 (1) termination of operation, including, but not
9 limited to, the proposed termination date and the address
10 and contact information for the location where the
11 non-transplant organ donation organization records will be
12 retained, if applicable;

13 (2) a proposed modification that alters the area for
14 tissue recovery, if applicable;

15 (3) a change in the non-transplant organ donation
16 organization's legal name;

17 (4) a change in the legal name of a licensee,
18 including the licensee's new name; and

19 (5) a change in the address of the non-transplant
20 organ donation organization, including the new address.

21 (c) A licensee shall notify the Department in writing no
22 later than 30 calendar days after the date of:

23 (1) a change in the non-transplant organ donation
24 organization's email address or mailing address, including
25 the new email address or mailing address of the
26 non-transplant organ donation organization;

1 (2) a change in the email address or telephone number
2 of the licensee, including the new email address or
3 telephone number;

4 (3) a change in an administrator or medical director,
5 including his or her name and email address; and

6 (4) a change in the name or contact information of an
7 officer affiliated with the licensee, including the name
8 and contact information of the new officer.

9 (d) If the Department receives notification of termination
10 of operation, the Department shall void the licensee's license
11 to operate a non-transplant organ donation organization as of
12 the termination date specified by the licensee.

13 (e) If the Department receives notification of a proposed
14 modification that alters the area for tissue recovery, the
15 Department:

16 (1) may conduct an inspection of the premises; and

17 (2) shall issue to the licensee an amended license
18 that incorporates the modification and retains the
19 expiration date of the existing license, if the
20 non-transplant organ donation organization is in
21 compliance.

22 (f) If the Department receives a notification of a legal
23 name change for a non-transplant organ donation organization,
24 the Department shall issue to the licensee an amended license
25 showing the licensee's changed legal name.

26 (g) If the Department receives notice of a change in the

1 legal name of a licensee, the Department shall void the
2 licensee's license to operate and issue a new license to
3 operate with the licensee's changed legal name.

4 (h) If the Department receives notice for a change in the
5 address of a non-transplant organ donation organization, the
6 Department shall require and review an amended application for
7 a license.

8 (i) An individual or business organization planning to
9 assume operation of an existing non-transplant organ donation
10 organization shall obtain a new license before beginning
11 operation.

12 Section 40. Denial; suspension; revocation; enforcement.

13 (a) The Department may:

14 (1) deny a license;

15 (2) suspend or revoke a license; or

16 (3) assess a civil penalty against a licensee.

17 (b) The Department may deny an application or suspend or
18 revoke a license to operate a non-transplant organ donation
19 organization if:

20 (1) an applicant or licensee does not meet the
21 application requirements;

22 (2) a licensee does not comply with any statutory
23 requirements or requirements of the Department;

24 (3) a licensee does not correct a deficiency
25 identified during an inspection according to the plan of

1 correction;

2 (4) an applicant or licensee provides false or
3 misleading information as part of an application or
4 inspection; or

5 (5) the nature or number of violations revealed by any
6 type of inspection or investigation of a non-transplant
7 organ donation organization pose a direct risk to the
8 life, health, or safety of individuals on the premises or
9 the public at large.

10 (c) In determining which action is appropriate, the
11 Department may consider:

12 (1) repeated violations of statutes or rules;

13 (2) a pattern of violations;

14 (3) the severity of violations; and

15 (4) the number of violations.

16 (d) The Department may suspend or revoke a non-transplant
17 organ donation organization's license if the Department
18 receives notice from the organization's accrediting body that
19 the organization's accreditation has been suspended or
20 revoked. An applicant or licensee may seek administrative
21 review of the Department's determination.

22 Section 45. Inspections. The Department shall inspect a
23 licensee's premises at least annually and any time after it
24 receives a complaint or notice of a violation.

1 Section 50. Donor consent forms; non-transplant anatomical
2 donation and non-transplant anatomical material
3 identification. A non-transplant organ donation organization
4 must establish donor consent and ensure that:

5 (1) a donor consent form includes:

6 (A) the intended use of the non-transplant
7 anatomical material;

8 (B) how the non-transplant anatomical material may
9 not be used;

10 (C) a statement that the non-transplant anatomical
11 material will be treated with dignity at all times;
12 and

13 (D) a statement that the non-transplant anatomical
14 material may require international export to an end
15 user; and

16 (2) the donor consent form is maintained in the
17 donor's record and retained for at least 10 years after
18 the date of final disposition;

19 (3) an electronic identification system for donors is
20 established and maintained that:

21 (A) assigns a unique identifier using a
22 combination of letters, numbers, or symbols for a
23 non-transplant anatomical donation and non-transplant
24 anatomical material;

25 (B) tracks the complete history of all
26 non-transplant anatomical material; and

1 (C) records the date and staff member involved in
2 each significant step of the operation from the time
3 of a non-transplant anatomical donation acquisition
4 through final disposition; and

5 (4) the information required to register the death of
6 a non-transplant anatomical donation is submitted within 7
7 calendar days after receiving the non-transplant
8 anatomical donation.

9 Section 55. Donor records.

10 (a) A non-transplant organ donation organization shall
11 maintain a legible, reproducible record for each donor from
12 whom it releases non-transplant anatomical material for at
13 least 10 years beyond the date of final disposition.

14 (b) To ensure traceability of a non-transplant anatomical
15 donation and non-transplant anatomical material, a
16 non-transplant organ donation organization shall:

17 (1) document each procedure performed on a
18 non-transplant anatomical donation and non-transplant
19 anatomical material related to processing and storing
20 non-transplant anatomical donations and non-transplant
21 anatomical material;

22 (2) for each document created under paragraph (1),
23 include:

24 (A) the date, time, and location for each
25 procedure completed; and

1 (B) the name of the technician who performed the
2 procedure; and

3 (3) submit or have a contracted funeral home submit
4 information required to register the death of a
5 non-transplant anatomical donation within 7 calendar days
6 after receiving the non-transplant anatomical donation, if
7 applicable.

8 (c) A donor record shall be:

9 (1) confidential;

10 (2) kept in a location with controlled access;

11 (3) stored in a manner to prevent unauthorized access;

12 and

13 (4) maintained in a manner to preserve the donor
14 record's completeness and accuracy.

15 (d) A donor record shall include at least the following:

16 (1) donor information that includes:

17 (A) the donor's name;

18 (B) the donor's unique identifying number;

19 (C) the donor's date of birth and date of death;

20 and

21 (D) the name and contact information of the person
22 responsible for a donor's anatomical gift, if
23 applicable; and

24 (2) an informed consent record or documentation of
25 authorization for an anatomical gift;

26 (3) a document of authorization, which is a legal

1 record of the gift, to take place postmortem, permitting
2 and defining the scope of the postmortem acquisition and
3 use of non-transplant anatomical material for education
4 and research, signed or otherwise recorded by the
5 authorizing person;

6 (4) a document of anatomical gift, which is the
7 donor's legal record of the gift of non-transplant
8 anatomical material permitting and defining the scope of
9 the postmortem acquisition and use of non-transplant
10 anatomical material for education and research;

11 (5) an authorization of gift, which must be signed or
12 otherwise recorded by an individual authorized by law to
13 make a gift during the donor's lifetime;

14 (6) the donor's death record;

15 (7) the human remains release form, if applicable;

16 (8) information for a death record, if applicable for
17 transporting human remains into the State;

18 (9) a disposition transit permit, if applicable;

19 (10) a medical examiner's release of information, if
20 applicable;

21 (11) all documents and permits that establish the
22 chain of custody and identifies the individuals and
23 organizations that had physical custody of the
24 non-transplant anatomical material;

25 (12) medical records, including:

26 (A) a donor's physical assessment;

- 1 (B) a risk assessment questionnaire;
- 2 (C) pathology and laboratory testing and reports;
- 3 (D) physician summaries, if applicable;
- 4 (E) transfusion or infusion information, if
- 5 applicable; and
- 6 (F) plasma dilution calculations if applicable;
- 7 and
- 8 (13) information from the donor referral source;
- 9 (14) donor eligibility;
- 10 (15) a donor acceptability assessment;
- 11 (16) a physical assessment questionnaire;
- 12 (17) documentation related to distribution;
- 13 (18) serological results, if applicable;
- 14 (19) a cremation authorization document;
- 15 (20) documentation related to non-transplant
- 16 anatomical material recovery, storage, and distribution
- 17 activities;
- 18 (21) final disposition documentation, including all
- 19 records demonstrating chain of custody; and
- 20 (22) documentation of the suspected misuse or harm to
- 21 the donor, if any.
- 22 (e) A donor's record shall be accessible to:
- 23 (1) an agent legally authorized to have access, or an
- 24 individual designated at the time a donor gives consent;
- 25 (2) an individual appointed by a court or authorized
- 26 by State law;

1 (3) an individual of a non-transplant organ donation
2 organization as identified by policies and procedures;

3 (4) an individual from an approved accrediting body,
4 if applicable; and

5 (5) an individual from the Department or other
6 regulatory agency authorized by State or federal laws or
7 rules adopted by the Department.

8 (f) Except for a donor record that must be maintained for a
9 period of 10 years after final disposition, a non-transplant
10 organ donation organization shall maintain documentation
11 required under this Act for at least 3 years after the date of
12 the documentation and shall provide copies of the
13 documentation to the Department for review upon request.

14 Section 60. Recordkeeping.

15 (a) A licensee shall compile or maintain a record for each
16 case in which the licensee acquires a human body, human body
17 part, or non-transplant anatomical donation.

18 (b) A record shall contain the following information and
19 any additional information required by the Department:

20 (1) documentation that the donor has knowingly
21 consented to the transfer of the human body or human body
22 part, not for use in transplantation, for education,
23 research, or the advancement of medical, dental, or
24 mortuary science in accordance with all applicable laws
25 pertaining to the final disposition of human remains;

1 (2) documentation that the donor has been informed of
2 the obligation of the licensee as to the proper disposal
3 of the human body or human body part;

4 (3) the date and time of the donation or transfer from
5 the donor;

6 (4) the name of the person, including any trade or
7 business name, who transferred the human body or human
8 body part to the licensee, if applicable;

9 (5) the full name and most recent address of the
10 donor;

11 (6) a description of the human body or human body part
12 being acquired or transferred;

13 (7) the medical history of the donor, including the
14 autopsy report if any autopsy was conducted;

15 (8) the identity and address of each person who has
16 been in possession of the human body or human body part
17 prior to the registrant, including any funeral home,
18 coroner, hospital, organ procurement organization, or
19 tissue bank;

20 (9) documentation of the use and final disposition of
21 each human body or human body part by the licensee;

22 (10) documentation of the name and address of each
23 person to whom the licensee transfers the human body or
24 human body part; and

25 (11) the implementation and maintenance of protocols
26 and materials for procedures to properly screen end users.

1 (c) A licensee shall maintain the following records for 10
2 years after the last date of tissue distribution:

3 (1) a copy or recorded consent of the donation
4 authorization;

5 (2) a copy of the donor's death certificate and
6 transit permit issued by the state where the death
7 occurred;

8 (3) a copy of the donor's physical assessment and risk
9 assessment questionnaire;

10 (4) a copy of the donor's serological results, if
11 applicable; and

12 (5) a copy of all documentation relating to tissue
13 recovery, storage, and distribution activities.

14 Section 65. Labeling and packaging.

15 (a) A licensee shall ensure that all human bodies and
16 human body parts in the possession of, or transferred by, the
17 licensee are labeled and packaged in accordance with this
18 Section.

19 (b) Unless the Department specifies otherwise by rule, a
20 label shall include the following:

21 (1) the proper name of the donor;

22 (2) a description of the contents of the package
23 indicating whether it is a human body or human body parts,
24 including a list of all human body parts;

25 (3) the name, address, and license and registration

1 number of the person transferring the human body or human
2 body part;

3 (4) the tissue types of the human body or human body
4 part;

5 (5) the cause of death of the donor, if applicable and
6 known;

7 (6) serological test results, if any results exist;

8 (7) any known infectious disease agents of the human
9 body or human body part;

10 (8) a statement about the use of personal protective
11 equipment and universal precautions when handling a human
12 body or human body part as required by law; and

13 (9) the statement "not for transplantation".

14 (c) Unless the Department specifies otherwise by rule,
15 each human body or human body part under this Section shall be
16 wrapped and packaged in a manner that:

17 (1) mitigates potential contamination and cross
18 contamination;

19 (2) mitigates potential safety hazards;

20 (3) is sealed to prevent leakage; and

21 (4) ensures the integrity of the human body or human
22 body part.

23 Section 75. Final disposition. A licensee shall ensure the
24 proper final disposition of a human body, human body part, or
25 non-transplant anatomical material, in accordance with

1 applicable federal and State law, by:

2 (1) returning the human body, human body part,
3 non-transplant anatomical material, or cremains to a
4 relative or personal representative of the donor within a
5 time frame designated by the non-transplant organ donation
6 organization at the time donation is established;

7 (2) carrying out the final disposition of the human
8 body or human body part as set forth in Section 4 of the
9 Cadaver Act; or

10 (3) if the licensee is releasing the human body or
11 human body part to another institution, contracting with
12 the institution to assume the obligations described in
13 this Act.

14 Section 80. Violations.

15 (a) Any person, entity, officer, or administrator who
16 violates a requirement of this Act shall be guilty of a Class 4
17 felony.

18 (b) The Department may suspend or revoke the license of
19 any licensee found to be in violation of this Act.

20 (c) It is a violation of this Act for any person or entity
21 to alter or falsify any information in a label required under
22 Section 65.

23 Section 85. General responsibilities.

24 (a) A licensee shall provide a copy of a renewed

1 accreditation to the Department within 30 calendar days after
2 the date of issuance.

3 (b) A licensee shall ensure that a non-transplant organ
4 donation organization facility is in a building that provides
5 a separate and designated area for tissue recovery.

6 (c) A licensee shall ensure policies and procedures are
7 established, documented, and implemented that cover:

8 (1) labeling;

9 (2) packaging, including a packaging insert form that
10 discloses the disease status of tissue to end users;

11 (3) transport;

12 (4) distribution; and

13 (5) final disposition.

14 Section 90. General plant standards; environmental
15 services. A licensee shall ensure that a non-transplant organ
16 donation organization:

17 (1) has preparation rooms that:

18 (A) are maintained in a clean and sanitary
19 condition at all times;

20 (B) are only used for examining and preparing a
21 non-transplant anatomical donation;

22 (C) contain equipment, instruments, and supplies
23 necessary for examining and preparing a non-transplant
24 anatomical donation and are disinfected or sterilized,
25 as applicable, after each use to protect the health

1 and safety of technicians and personnel members;

2 (D) have sanitary flooring, drainage, and
3 ventilation;

4 (E) have proper and convenient receptacles for
5 refuse, bandages, and all other waste materials; and

6 (F) are thoroughly cleansed and disinfected with a
7 1% solution of chlorinated soda, or other suitable and
8 effective disinfectant, immediately after examining
9 and preparing each non-transplant anatomical material;
10 and

11 (2) has equipment at the non-transplant organ donation
12 organization that is:

13 (A) sufficient to support the service;

14 (B) maintained in working condition;

15 (C) maintained in a clean and sanitary condition;

16 (D) used according to the manufacturer's
17 recommendations;

18 (E) if used during an examination or preparation
19 of a non-transplant anatomical donation, cleaned and
20 sanitized after every use; and

21 (F) if applicable, tested and calibrated according
22 to the manufacturer's recommendations or, if there are
23 no manufacturer's recommendations, according to
24 policies and procedures approved by the Department.

25 Section 95. Transportation standards.

1 (a) If a non-transplant organ donation organization owns
2 and maintains a vehicle for transporting non-transplant
3 anatomical material, an administrator shall ensure that the
4 vehicle is:

5 (1) not used for a purpose other than transporting
6 non-transplant anatomical donations and non-transplant
7 anatomical material or conducting non-transplant organ
8 donation organization business;

9 (2) only operated by a procurement organization
10 technician or designated individual authorized to
11 transport non-transplant anatomical donations or
12 non-transplant anatomical material;

13 (3) maintained in clean and sanitary condition; and

14 (4) locked and secured at all time during transport of
15 non-transplant anatomical donations or non-transplant
16 anatomical material.

17 (b) If using a vehicle other than the vehicle described
18 under subsection (a) for transporting a non-transplant
19 anatomical donation or non-transplant anatomical material, an
20 administrator shall ensure that the vehicle:

21 (1) is properly equipped for the transportation of
22 non-transplant anatomical material;

23 (2) is compliant with all State and federal laws and
24 rules pertaining to transporting humans remains; and

25 (3) if transport is by air, complies with applicable
26 standards established by the International Air Transport

1 Association and Transportation Security Administration.

2 (c) An administrator shall ensure that non-transplant
3 anatomical donations and non-transplant anatomical material
4 transported into the State have information of death
5 documentation prior to transport.

6 Section 100. End user.

7 (a) A licensee shall establish, document, and implement
8 policies and procedures to properly screen an end user that
9 include:

10 (1) a written request for non-transplant anatomical
11 material, including:

12 (A) the name, address, and affiliation of
13 educators or research institutions accepting
14 responsibility for the acceptance, use, and final
15 disposition of the non-transplant anatomical material;

16 (B) a description of the intended use;

17 (C) the date and the approximate duration of
18 non-transplant anatomical material use;

19 (D) a description of the venue in which the
20 non-transplant anatomical material will be used and
21 the security measures for the safe and ethical
22 utilization of the venue;

23 (E) an assurance that precautions will be used
24 when handling non-transplant anatomical material;

25 (F) the proposed final disposition of the

1 non-transplant anatomical material;

2 (G) an agreement to comply with the licensee's
3 policies, if applicable;

4 (H) an outline of proposed materials to be
5 disseminated in connection with the use of
6 non-transplant anatomical material, if applicable; and

7 (I) other supporting documentation that is
8 relevant to the request; and

9 (2) the criteria for approving requested
10 non-transplant anatomical material for use, including:

11 (A) the acceptability of the educator and
12 researcher for non-transplant anatomical material
13 utilization;

14 (B) the appropriateness of the intended use;

15 (C) the type of venue in which the non-transplant
16 anatomical material will be used;

17 (D) the proposed final disposition of the
18 non-transplant anatomical material, unless returned to
19 the non-transplant organ donation organization; and

20 (E) proposed research materials.

21 (b) A licensee shall establish, document, and implement a
22 procedure that allows end users to request an exceptional
23 release of non-transplant anatomical material.

24 Section 125. The State Finance Act is amended by adding
25 Section 5.935 as follows:

1 (30 ILCS 105/5.935 new)

2 Sec. 5.935. The Public Health Licensing Fund.

3 Section 999. Effective date. This Act takes effect upon
4 becoming law.