

CHAPTER 38**(HB 57)**

AN ACT relating to organ and tissue donation.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 194A IS CREATED TO READ AS FOLLOWS:

- (1) *Contingent upon the availability of funding, the Cabinet for Health and Family Services shall facilitate the establishment of a statewide electronic registry for organ and tissue donation for transplantation purposes. The cabinet may contract with a public or private nonprofit entity to perform gatekeeper functions of the registry that include but are not limited to the operation, maintenance, privacy, and security of the registry.*
- (2) *An ongoing collaboration shall be established among the Transportation Cabinet, the Cabinet for Health and Family Services, the Kentucky Circuit Court Clerks Trust for Life, the Kentucky Hospital Association, the Kentucky Medical Association, and the federally certified organ and tissue procurement organizations that operate in Kentucky to develop strategies for the operation of the registry. Strategies shall include but not be limited to:*
 - (a) *Donor designation at the time of application or renewal of a driver's license;*
 - (b) *Online registration as a donor;*
 - (c) *Removal or exit from the registry;*
 - (d) *Timely access to the registry by relevant parties in accordance with federal laws and regulations relating to organ and tissue donation and procurement for transplantation purposes; and*
 - (e) *Evaluation of the effectiveness of the registry.*
- (3) *The cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A to implement the provisions of this section.*

Approved March 24, 2006.