

311.1917 Manner of making anatomical gift before donor's death.

- (1) A donor may make an anatomical gift:
 - (a) By authorizing a statement or symbol indicating that the donor has made an anatomical gift to be imprinted on the donor's driver's license or identification card;
 - (b) By authorizing a statement through the motor vehicle registration process under KRS 186.049;
 - (c) In a will;
 - (d) During a terminal illness or injury of the donor, by any form of communication addressed to at least two (2) adults, at least one (1) of whom is a disinterested witness; or
 - (e) As provided in subsection (2) of this section.
- (2) A donor or other person authorized to make an anatomical gift under KRS 311.1915 may make a gift by a donor card or other record signed by the donor or other person making the gift or by authorizing that a statement or symbol indicating that the donor has made an anatomical gift be included on a donor registry. If the donor or other person is physically unable to sign a record, the record may be signed by another individual at the direction of the donor or other person and shall:
 - (a) Be witnessed by at least two (2) adults, at least one (1) of whom is a disinterested witness, who have signed at the request of the donor or the other person; and
 - (b) State that it has been signed and witnessed as provided in paragraph (a) of this subsection.
- (3) Revocation, suspension, expiration, or cancellation of a driver's license or identification card upon which an anatomical gift is indicated does not invalidate the gift.
- (4) An anatomical gift made by will takes effect upon the donor's death whether or not the will is probated. Invalidation of the will after the donor's death does not invalidate the gift.
- (5) The making of an anatomical gift shall not under any circumstances be construed to authorize or direct the denial of health care or hydration and nourishment when the withholding or withdrawal of health care or hydration and nourishment will result in or hasten death.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 16, sec. 2, effective July 14, 2022. -- Created 2010 Ky. Acts ch. 161, sec. 4, effective July 15, 2010.