

26-28-108 Preclusive effect of anatomical gift, amendment, or revocation.

- (1) Except as otherwise provided in Subsection (7) and subject to Subsection (6), in the absence of an express, contrary indication by the donor, a person other than the donor is barred from making, amending, or revoking an anatomical gift of a donor's body or part if the donor made an anatomical gift of the donor's body or part under Section 26-28-105 or an amendment to an anatomical gift of the donor's body or part under Section 26-28-106.
- (2) A donor's revocation of an anatomical gift of the donor's body or part under Section 26-28-106 is not a refusal and does not bar another person specified in Section 26-28-104 or 26-28-109 from making an anatomical gift of the donor's body or part under Section 26-28-105 or 26-28-110.
- (3) If a person other than the donor makes an unrevoked anatomical gift of the donor's body or part under Section 26-28-105 or an amendment to an anatomical gift of the donor's body or part under Section 26-28-106, another person may not make, amend, or revoke the gift of the donor's body or part under Section 26-28-110.
- (4) A revocation of an anatomical gift of a donor's body or part under Section 26-28-106 by a person other than the donor does not bar another person from making an anatomical gift of the body or part under Section 26-28-105 or 26-28-110.
- (5) In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift under Section 26-28-104, an anatomical gift of a part is neither a refusal to give another part nor a limitation on the making of an anatomical gift of another part at a later time by the donor or another person.
- (6) In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift under Section 26-28-104, an anatomical gift of a part for one or more of the purposes set forth in Section 26-28-104 is not a limitation on the making of an anatomical gift of the part for any of the other purposes by the donor or any other person under Section 26-28-105 or 26-28-110.
- (7) If a donor who is an unemancipated minor dies, a parent of the donor who is reasonably available may revoke or amend an anatomical gift of the donor's body or part.
- (8) If an unemancipated minor who signed a refusal dies, a parent of the minor who is reasonably available may revoke the minor's refusal.

Enacted by Chapter 60, 2007 General Session