



Rep. Dan Brady

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1 AMENDMENT TO HOUSE BILL 3488

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3488, AS AMENDED,  
3 with reference to page and line numbers of House Amendment No.  
4 1, on page 2, by deleting lines 13 and 14; and

5 on page 2, line 15, by replacing "(9)" with "(8)"; and

6 on page 2, line 22, by replacing "(10)" with "(9)"; and

7 on page 2, by replacing lines 24 and 25 with the following:

8 "Section 7. Definitions. As used in this Act:

9 "Department" means the Department of Public Health.

10 "Qualified medical science institution" means an  
11 institution of medical, mortuary, or other sciences meeting the  
12 requirements of Section 25 of this Act.

13 "State facility" means any facility, hospital,  
14 institution, morgue, or other place for bodies of deceased

1 persons owned or operated by the State of Illinois, other than  
2 a qualified medical science institution.

3 Section 10. Indigent funeral and burial.

4 (a) If private funds are not available to pay funeral and  
5 burial costs and a request is made for those costs to an  
6 official of State or local government by an appropriate family  
7 member, executor, or agent empowered to direct the disposition  
8 of the decedent's remains, the official shall inform the  
9 appropriate family member, executor, or agent empowered to  
10 direct the disposition of the decedent's remains of the option  
11 to donate the remains for use in the advancement of medical  
12 science subject to any written directive of a will or other  
13 written instrument identified in Section 65 of the Crematory  
14 Regulation Act or in subsection (a) of Section 40 of the  
15 Disposition of Remains Act.

16 (b) The appropriate family member, executor, or agent  
17 empowered to direct the disposition of the decedent's remains  
18 is responsible for authorizing the use of such remains in  
19 accordance with the process of the specific qualified medical  
20 science institution.

21 (c) If funds are not otherwise available for burial or the  
22 cadaver has not been claimed by a family member or other  
23 responsible person, the coroner with custody may donate the  
24 cadaver for medical science purposes pursuant to Section 3-3034  
25 of the Counties Code.

1           Section 15. Donation of unclaimed cadavers in the custody  
2 of the State.

3           (a) The director of any State facility in custody of a  
4 cadaver shall make reasonable efforts to contact a family  
5 member or other person responsible for the disposition of the  
6 remains for the purpose of claiming the remains.

7           (b) If a family member or other person responsible for the  
8 disposition of the remains requests the remains, the person  
9 must remove or make arrangements to remove the remains within  
10 72 hours of notice from the facility.

11           (c) If, after making reasonable efforts to contact a family  
12 member or other person responsible for the disposition of the  
13 remains, the cadaver is unclaimed or if a person claiming the  
14 remains has failed to remove or make arrangements to remove the  
15 cadaver within 72 hours of notice from the facility, the State  
16 facility director shall contribute the cadaver to a qualified  
17 medical science institution for use in the advancement of  
18 medical science as designated by the Department under Section  
19 30 of this Act unless it is necessary to preserve the body for  
20 law enforcement purposes or the decedent has left written  
21 instructions that he or she does not wish to be cremated or  
22 donated for medical science.

23           (d) The State facility director shall as soon as is  
24 practicable after the end of the 72-hour notice period:

25           (1) verify, if known, or make good faith efforts to

1 discover, if not known, identifying information regarding  
2 the decedent, including ethnicity, religious affiliation,  
3 and former associations;

4 (2) after such verification or discovery, provide to  
5 the Department all information in its possession relating  
6 to the decedent;

7 (3) preserve all information submitted to the  
8 Department along with information on how the State facility  
9 obtained or attempted to obtain information regarding the  
10 decedent, including persons contacted, time of contact,  
11 name of contact, and documents reviewed.

12 (e) If a cadaver is contributed to a qualified medical  
13 science institution under this Section, the State facility  
14 director shall provide to the institution the name, address,  
15 e-mail address, and telephone number of the family member or  
16 other responsible party, if known.

17 (f) A qualified medical science institution receiving a  
18 cadaver pursuant to this Section is responsible for all costs  
19 related to the contribution, including transportation of the  
20 remains.

21 Section 20. Institution of medical, mortuary, or other  
22 sciences.

23 (a) A qualified medical science institution receiving a  
24 cadaver pursuant to Section 15 of this Act shall:

25 (1) hold the cadaver at its facility for 30 days after

1 receipt from the State facility; and

2 (2) ensure during the 30-day period that the cadaver is  
3 not used for any purpose other than for embalming.

4 (b) After use of the remains, the qualified medical science  
5 institution shall cremate them pursuant to Section 19 of the  
6 Crematory Regulation Act and deliver them to the appropriate  
7 family member, executor, or agent empowered to direct the  
8 disposition of the decedent's cremated human remains. If no  
9 such person is available or if such person is unwilling to  
10 accept the remains, the qualified medical science institution  
11 shall inter the cremated human remains at a cemetery licensed  
12 under the Cemetery Oversight Act. Upon such interment, the  
13 institution shall notify the family member, executor, or agent  
14 empowered to direct the disposition of the decedent's remains,  
15 if known, by mail of the location of the remains. The  
16 institution shall maintain at all times a registry of such  
17 interred cremated human remains.

18 (c) A qualified medical science institution is considered  
19 an authorizing agent under the Crematory Regulation Act only  
20 for the purpose of ordering the cremation and delivering or  
21 interring the remains following cremation as provided in this  
22 Section.

23 (d) If at any time an appropriate family member, executor,  
24 or agent empowered to direct the disposition of the decedent's  
25 remains makes a written request concerning disposition or  
26 return of the remains, the qualified medical science

1 institution shall, at its own expense, return the remains  
2 within a reasonable time.

3 Section 25. Registry of contributed cadavers and  
4 institutions of medical, mortuary, or other sciences.

5 (a) An institution of medical, mortuary, or other sciences  
6 is eligible to receive a contributed cadaver under Section 15  
7 of this Act if it meets the qualifications determined to be  
8 appropriate by the Department by rule and registers with the  
9 Department. Qualified medical science institutions, at a  
10 minimum, must be either:

11 (1) a medical college or school, or other institution  
12 of higher science education or school of mortuary science,  
13 public or private;

14 (2) a hospital; or

15 (3) a not-for-profit corporation under Section  
16 501(c)(3) of the Internal Revenue Code registered under the  
17 Charitable Trust Act.

18 (b) The Department shall maintain a registry of:

19 (1) cadavers that have been contributed to qualified  
20 medical science institutions of Section 15; and

21 (2) institutions qualifying as institutions of  
22 medical, mortuary, or other sciences eligible to receive  
23 donations under this Act.

24 The Department shall update the registry with any new  
25 information within 24 hours of receiving the information.

1           (c) Each qualified medical science institution shall  
2 submit its request for cadavers in State custody. The  
3 Department shall designate the next institution to receive a  
4 cadaver when requested by a State facility.

5           (d) If the number of cadavers is insufficient for the use  
6 of the relevant institutions, the Department shall determine  
7 which institution shall receive them, taking into account the  
8 relative proportion of the numbers of students at each  
9 institution.

10           Section 30. Rules. The Department may adopt rules as  
11 necessary to implement this Act.

12           Section 35. Repealer. This Act is repealed on December 31,  
13 2022."; and

14 by deleting all of pages 3 through 7; and

15 on page 8, by deleting lines 1 through 14; and

16 on page 9, line 17, by replacing "25" with "20".