

2023 Kansas Statutes

65-3227. Preclusive effect of anatomical gift, amendment, or revocation. (a) Except as otherwise provided in subsection (g) and subject to subsection (f), 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 K.S.A. 65-3224, and amendments thereto, or an amendment to an anatomical gift of the donor's body or part under K.S.A. 65-3225, and amendments thereto.

(b) A donor's revocation of an anatomical gift of the donor's body or part under K.S.A. 65-3225, and amendments thereto, is not a refusal and does not bar another person specified in K.S.A. 65-3223 or 65-3228, and amendments thereto, from making an anatomical gift of the donor's body or part under K.S.A. 65-3224 or 65-3229, and amendments thereto.

(c) If a person other than the donor makes an unrevoked anatomical gift of the donor's body or part under K.S.A. 65-3224, and amendments thereto, or an amendment to an anatomical gift of the donor's body or part under K.S.A. 65-3225, and amendments thereto, another person may not make, amend, or revoke the gift of the donor's body or part under K.S.A. 65-3229, and amendments thereto.

(d) A revocation of an anatomical gift of a donor's body or part under K.S.A. 65-3225, and amendments thereto, by a person other than the donor does not bar another person from making an anatomical gift of the body or part under K.S.A. 65-3224 or 65-3229, and amendments thereto.

(e) In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift under K.S.A. 65-3223, and amendments thereto, 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.

(f) In the absence of an express, contrary indication by the donor or other person authorized to make an anatomical gift under K.S.A. 65-3223, and amendments thereto, an anatomical gift of a part for one or more of the purposes set forth in K.S.A. 65-3223, and amendments thereto, 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 K.S.A. 65-3224 or 65-3229, and amendments thereto.

(g) 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.

(h) If an unemancipated minor who signed a refusal dies, a parent of the minor who is reasonably available may revoke the minor's refusal.

History: L. 2007, ch. 127, § 8; July 1.