

Donation of Eyes

19-13-D40. Donation of eyes for scientific, educational or therapeutic use

- (a) Definitions. In this regulation to effect the purposes of section 19-139c of the 1965 supplement to the general statutes, insofar as they pertain to eyes, the following words and phrases shall have the following meanings:
- (1) Eye bank means an identified special function of a hospital or medical institution having a record system covering the status of the donor's intent and disposition of the donated tissue, providing storage facilities, carrying cases and solution for in and out transportation and having materials necessary for maintaining bacteriological and pathological control of the tissue;
 - (2) donor means the person who by written instrument has validly donated his eyes for use after his death
 - (3) donee means any Connecticut hospital or medical institution establishing an eye bank approved by the state department of health to receive eyes for assignment for transplantation or for any other scientific, educational or therapeutic use;
 - (4) donee's agent means any physician, or the agent of any Connecticut hospital or medical institution, cooperating with the donee in the removal, preparation or storage of the donor's eyes, and
 - (5) recipient means any person eligible to receive a transplantation of eye tissue, or any hospital or medical institution receiving eye tissue for other scientific, educational or therapeutic use.
- (b) Approval of donee. Any donee shall make annual application in writing over the signature of a responsible executive or staff member to the state commissioner of health for approval as required in section 19-139c of the 1965 supplement to the general statutes. After inspection, the commissioner of health shall notify the hospital or medical institution whether or not the application is approved, which notification shall be kept as part of the permanent records of the eye bank.
- (c) Notification on death of donor. Upon the death of the donor, his next of kin or other person legally responsible shall forthwith notify the donee, which shall agree to keep such records as the state department of health may require to accomplish the purposes of this section at no expense to the state.
- (d) Priority schedule for distribution. Each donee shall maintain a priority schedule to ensure that the distribution of available or suitable tissue be made in the following order:
- (1) For those purposes that may be specified by the donor in the written instrument, when feasible;
 - (2) for use of the eye for a living recipient in Connecticut;
 - (3) for use of the eye outside of Connecticut for a living recipient who is a Connecticut resident;
 - (4) for use of the eye outside of Connecticut for a living recipient who is a nonresident of Connecticut;
 - (5) for other medical or educational purposes.
- (e) Procedure and techniques to be approved. All procedures, equipment and techniques used by a donee or donee's agent in the removal, preparation, storage and transportation of the donor's eyes shall be based upon principles of asepsis and shall meet the approval of the state department of health.
- (f) Fee prohibited. No fee of any kind may be charged the donor or the recipient except where authorized by statute nor may requests for donations in lieu of a fee be solicited.
- (g) Removal of eyes prohibited, when. No donor's eyes shall be removed if it is known that a valid gift of the whole of the donor's body has been made unless the donor has expressly indicated to the contrary under the provisions of the written instrument, nor shall any eye be used for any living recipient pursuant to this section when the medical history of the donor or subsequent tests of the enucleated eyes reveal any disease or condition specified by the state department of health as rendering such tissue unfit for such use.

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- (h) Instrument for gift. The written instrument specified in section 19-139c of the 1965 supplement to the general statutes and such additional forms with such instructions as may be necessary to accomplish the purposes of said section shall be prepared or approved by the state department of health.
- (i) Advisory committee. An advisory committee, consisting of at least four members, of whom at least one shall be an ophthalmologist, one a pathologist and one a hospital administrator, shall be appointed by the commissioner of health to advise him in the carrying out of the purposes of said section.
(Effective September 1, 1964.)