



Ohio Administrative Code

Rule 4501:1-1-36 Donor registry for anatomical gifts.

Effective: April 10, 2016

(A) The registrar of motor vehicles shall establish and maintain within the bureau of motor vehicles a donor registry that identifies each individual who has agreed to make an anatomical gift by a designation in conjunction with the issuance of a driver's license, commercial driver's license, motorcycle operator's license or endorsement, or state of Ohio identification card.

(B) Any person making an application to the registrar of motor vehicles or any deputy registrar for a driver's license, commercial driver's license, motorcycle operator's license or endorsement, or Ohio identification card, or renewal of any of them, shall be asked whether the applicant wishes to certify the applicant's willingness to make an anatomical gift under section 2108.04 of the Revised Code.

(C) If the applicant states the applicant's willingness to make an anatomical gift, the registrar or deputy registrar shall enter upon the application a statement evidencing the applicant's willingness to make an anatomical gift. The registrar or deputy registrar shall also enter upon any license or identification card issued to the applicant a symbol indicating the applicant's willingness to make an anatomical gift.

(D) The registry established within the bureau shall contain the records of all applicants who have signed an application containing a statement evidencing their willingness to make an anatomical gift. The registrar may maintain all such records in any format, electronic or otherwise, which reasonably assures the accuracy of the record.

(E) In addition to the statement of gift entered on an application for a driver's license, commercial driver's license, motorcycle operator's license or endorsement, or Ohio identification card, the registrar shall prescribe the donor registry enrollment form "BMV 3346" (English 7/15) and "BMV 3348" (Spanish 7/15) located at http://www.bmv.ohio.gov/bmv_forms.stm to permit an individual to state the individual's willingness to make an anatomical gift. The registrar may permit the individual to submit the donor registry enrollment form on paper or electronically in accordance with instructions prescribed by the registrar. Upon receipt of the donor registry enrollment form by



the registrar, the individual's wishes shall be entered in the registry.

(F) The registrar shall establish and maintain the registry in a manner that provides to organ procurement organizations, tissue banks, and eye banks immediate access to the information in the registry twenty-four hours a day and seven days a week. To accomplish this, the bureau shall make the registry information available to organ procurement organizations, tissue banks, and eye banks by electronic or other means. The registrar shall prescribe the method for electronic access, the authorization requirements for access, and appropriate security safeguards.

(G) The registry shall contain the name, last known address, and date of birth of the donor. The registry may also contain the social security number if known, the license or identification card number, and general physical characteristics of the individual, and any other information prescribed by the registrar.

(H) An individual may revoke his or her intent to make an anatomical gift and the bureau shall remove the individual's name from the donor registry if the individual gives express notice to the bureau stating that the individual no longer wishes to be registered as a donor. The notice may be given by a notation on an application for a driver's license, commercial driver's license, motorcycle operator's license or endorsement, or state of Ohio identification card, by separate written instrument delivered to the registrar's headquarters office in Columbus, or electronically in accordance with instructions prescribed by the registrar.

(I) Access to registry information shall be limited to licensed and certified organ procurement organizations, tissue banks, and eye banks for their use in consultation with donors and prospective donors; the spouse, adult son or daughter, parent, adult brother or sister, grandparent, or guardian of any donor or prospective donor; any person authorized or under an obligation to dispose of the body of a decedent; any physician or surgeon; any hospital; or any other recovery agency as defined in section 2108.01 of the Revised Code.

(J) The director of health in consultation with the second chance trust fund advisory committee created under section 2108.35 of the Revised Code shall develop, publish, and disseminate information on organ, tissue, and eye donations. The director shall provide copies of the information on organ, tissue, and eye donations to the registrar. The registrar shall disseminate the information



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provided at all locations operated by the registrar and at all deputy registrar locations throughout the state.