

On approval of the Rules and conditions for the execution and transfer of the anatomical donation to healthcare organizations

Unofficial translation

Order of the Minister of Healthcare of the Republic of Kazakhstan dated October 23, 2020 No. № ҚР ДСМ -150/2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 27, 2020 No. 21520

Unofficial translation

In accordance with paragraph 5 of Article 155 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On public health and the healthcare system" **I HEREBY ORDER:**

1. To approve the attached Rules and conditions for execution and transfer the anatomical donation to healthcare organizations.

2. To recognize as terminated the Order of the Minister of Healthcare and Social Development of the Republic of Kazakhstan dated March 30, 2015 No. 177 "On approval of the Rules for execution and transfer the anatomical donation to healthcare organizations" (registered in the State Registration Register of Regulatory Legal Acts under No. 11175, published on June 11, in the legal information system Adilet).

3. The Department for Organization of Medical Aid of the Ministry of Healthcare of the Republic of Kazakhstan, in the manner prescribed by law, shall ensure:

1) state registration of this Order with the Ministry of Justice of the Republic of Kazakhstan;

2) posting this Order on the Internet resource of the Ministry of Healthcare of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration of this Order, submission to the Legal Department of the Ministry of Healthcare of the Republic of Kazakhstan the information on the implementation of the measures provided for in subparagraphs 1), 2) of this paragraph.

4. Control over the execution of this Order shall be entrusted to the Supervising Vice-Minister of Healthcare of the Republic of Kazakhstan.

5. This Order shall come into effect upon the expiration of ten calendar days from the date of its first official publication.

*Minister of Healthcare of the
Republic of Kazakhstan*

A. Tsoi

Terms and conditions for execution and transfer of the anatomical donation to healthcare organizations Chapter 1. General Provisions

1. These Rules and conditions for execution and transfer of the anatomical donation to healthcare organizations (hereinafter referred to as the Rules) have been developed in accordance with paragraph 5 of Article 155 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On public health and the healthcare system" and shall determine the procedure and conditions for execution and transfer of the anatomical donation to healthcare organizations.

2. Anatomical donation - a voluntary donation by a capable person of organs (part of an organ) and (or) tissues (part of tissue), both during their life and after their death, carried out by a person through a duly executed contract or will.

As an anatomical donation, in addition to bequeathed organs (parts of an organ) and (or) tissues (parts of tissue), a corpse of a person with an established identity shall be recognized, unclaimed for burial within twenty days from the date of death in a medical organization.

Unidentified corpses shall not be recognized as an anatomical donation.

3. The following shall not be transmitted in the form of an anatomic donation for biomedical research: The organs (parts of an organ) and (or) tissues (parts of tissue), and the bodies of unidentified deaths and deaths from diseases that represent a danger to others, according to the list of social diseases approved in accordance with subparagraph 158) of paragraph 1 of Article 1 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On public health and the healthcare system", as well as persons in respect of whom a forensic medical examination was carried out, in terms of establishing a defect.

Chapter 2. Rules for the transfer of anatomical donations to healthcare organizations

4. Transfer of organs (parts of an organ) and (or) tissues (parts of tissue) of corpses of persons who voluntarily donated their organs and (or) tissues both during life and after death, shall be carried out by a person through a duly executed contract or will, as well as unclaimed corpses as an anatomical donation in a healthcare organization is carried out by the Commission for the Transfer of the Anatomical Donation (hereinafter referred to as the Commission), approved by the order of the head of the healthcare organization transferring the anatomical donation. The act on the transfer of the anatomical donation to healthcare organizations is drawn up in the form in accordance with Annex 1 to these Rules.

5. The Commission includes the heads of healthcare organizations that transfer the anatomical donation and receive the anatomical donation, local public health authorities of regions, cities of republican significance and the capital, the body that conducted the forensic medical examination.

The procedure for the transfer of an anatomical donation under a contract or a will is carried out in accordance with the civil legislation of the Republic of Kazakhstan.

6. Transportation of organs (parts of an organ) and (or) tissues (parts of tissue) is carried out using special equipment, the transportation of a corpse is carried out by special vehicles intended for their storage and transportation.

7. When transferring and receiving an anatomical donation, healthcare organizations that transmit and receive an anatomical donation shall register the transfer and receipt of an anatomical donation in the register of the transfer and receipt of an anatomical donation in the form in accordance with Annex 2 to these Rules.

8. In the presence of special signs on an unclaimed corpse, this fact is recorded in the form of an entry in the register of the transfer and receipt of the anatomical donation and is photographed, the photo is attached to the register of the transfer and receipt of the anatomical donation.

9. If the corpses of unclaimed persons are accepted as an anatomical donation, the date of death is indicated in the register of the transfer and receipt of the anatomical donation.

10. Information about the anatomical donation is not subject to disclosure.

Chapter 3. Conditions for execution and transfer the anatomical donation to healthcare organizations

11. Transfer of organs (part of an organ) and (or) tissues (part of tissue), as well as a corpse as an anatomical donation, is carried out under the following conditions:

1) the existence of an agreement and (or) a will, drawn up in accordance with the civil legislation of the Republic of Kazakhstan for the voluntary transfer of organs (parts of an organ) and (or) tissues (parts of tissue) and (or) a corpse both during life and after his death, or the presence of a corpse of a person with an established identity, unclaimed for burial within twenty days from the date of death in a medical organization;

2) absence of signs of violent death or suspicion of it.

Annex 1 to the Rules
and conditions for the execution
and transfer of the anatomical donation to
healthcare organizations

Act on the transfer of the anatomical donation to healthcare organizations No. _____
" ____ " _____ 20 ____

The Commission created by order of _____, _____

_____ (date and number of the order of the head of the healthcare organization transferring the anatomical donation)

consisting of: _____

_____ (surname, name, patronymic (if any) of the members of the Commission) on the basis of: _____ (

the date of the contract or will and the surname, the name, patronymic (if any) of the person who made the transfer of the anatomical donation, or the number and date of registration of the unclaimed corpse is indicated, not earlier than twenty days from the date of discovery of the corpse) transfers: _____

[illegible]

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Note:

* the surname, name, patronymic (if any), gender, age, race, body size and other special signs of an unclaimed corpse are indicated.

** dates are indicated with the designation of the day, month and year.