Coroner: Removing man's organs was homicide (CNN, October 5 2004)

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A western Colorado coroner said Monday that two hospitals allowed vital organs to be removed from a man before they had proven he was brain dead, and he declared the death a homicide.

The cause of William Rardin's death was "removal of his internal organs by an organ recovery team," Montrose County Coroner Mark Young said. He said he did not believe the case should be a criminal matter, but that it "should lead to a clarification of what the accepted standard is."
Young said Montrose Memorial Hospital in Montrose and St. Mary's Hospital in Grand Junction did not follow "accepted medical standards" or meet state guidelines in determining that 31-year-old William Rardin was brain dead after he shot himself last month.
Rardin's heart, liver, pancreas and two kidneys were transplanted into waiting patients.
Officials with St. Mary's and the organization that coordinates organ donation in Colorado and Wyoming insisted the surgeons followed rules and did nothing wrong.
"We have never, ever had anything like this presented to us before," said Sue Dunn, vice president of organ procurement operations for the Denver-based Donor Alliance. "We talked to the family the day of the donation. ... This gentleman was on the donor registry. We've heard nothing from them regarding this."
Attempts to locate Rardin's family were unsuccessful and someone who answered the phone at the Montrose hospital said no one was available to comment.
Young said each hospital performed a test that did not prove Rardin was dead, and that more tests should have been done. He would not discuss details of the tests.
Rardin was brought to Montrose Memorial on September 26 and declared brain dead, Young said. He was then taken by helicopter to St. Mary's, where he was again declared brain dead and surgeons removed his organs.
Dan Prinster, a vice president at St. Mary's, said the hospital was willing to have a third party evaluate how Rardin's case was handled to prove everything was done correctly.
Young said state lawmakers should take up the issue.
"I think it (the organ donation) was done in good faith. ... But the standard has me thinking about taking the organ donation card off my license," Young said. "I don't mind donating organs if I'm dead, but I want to be dead first."