

SENATE BILL NO. 6

INTRODUCED BY LYBECK, J. BROWN, JACOBSON

IN THE SENATE

JANUARY 5, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON PUBLIC HEALTH, WELFARE & SAFETY.

JANUARY 10, 1987                   ON MOTION BY CHIEF SPONSOR, SENATOR  
JACOBSON AND REPRESENTATIVE J. BROWN  
ADDED AS SPONSORS.

JANUARY 23, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 24, 1987                   PRINTING REPORT.

JANUARY 27, 1987                   SECOND READING, DO PASS.

JANUARY 28, 1987                   ENGROSSING REPORT.

JANUARY 29, 1987                   THIRD READING, PASSED.  
AYES, 50; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 4, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON HUMAN SERVICES & AGING.

MARCH 5, 1987                   COMMITTEE RECOMMEND BILL BE  
CONCURRED IN AS AMENDED. REPORT  
ADOPTED.

MARCH 7, 1987                   SECOND READING, CONCURRED IN.

MARCH 9, 1987                   THIRD READING, CONCURRED IN.  
AYES, 87; NOES, 8.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 20, 1987

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 21, 1987

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

1                    SENATE    BILL NO.   6  
2    INTRODUCED BY   LYBECK

3  
4    A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A HOSPITAL  
5    ADMINISTRATOR TO REQUEST AN ANATOMICAL GIFT UNDER CERTAIN  
6    CIRCUMSTANCES."

7  
8    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9            Section 1. Death in hospital of person who has not  
10    made anatomical gift -- request by hospital administrator.

11    (1) When death of an individual who has not made an  
12    anatomical gift occurs in a hospital, the hospital  
13    administrator or his designated representative shall request  
14    the person authorized in 72-17-201, in order of priority  
15    stated when persons in prior classes are not available at  
16    the time of death and in the absence of actual notice of  
17    contrary indications by the decedent or actual notice of  
18    opposition by a member of the same or a prior class, to  
19    donate all or any part of the decedent's body as an  
20    anatomical gift.

21    (2) When a request is made pursuant to this section,  
22    the request and its disposition must be noted in the  
23    patient's medical record and on the death certificate and  
24    documented as provided in 72-17-204(3).

25    (3) The department may by rule authorize an exception

1    to the request required by subsection (1) if, based on  
2    medical criteria, such a request would not yield a donation  
3    suitable for use.

4            (4) The department shall adopt rules concerning:

5            (a) the procedures for making the request required by  
6    subsection (1);

7            (b) the training of designated representatives who may  
8    make the request; and

9            (c) the delivery of donations from receiving hospitals  
10    to appropriate donees.

11           Section 2. Codification instruction. Section 1 is  
12    intended to be codified as an integral part of Title 72,  
13    chapter 17, part 2, and the provisions of Title 72, chapter  
14    17, part 2, apply to section 1.

-End-



APPROVED BY COMMITTEE  
ON PUBLIC HEALTH, WELFARE  
& SAFETY

SENATE BILL NO. 6

INTRODUCED BY LYBECK, J. BROWN, JACOBSON

A BILL FOR AN ACT ENTITLED: "AN ACT ~~REQUIRING A HOSPITAL~~  
~~ADMINISTRATOR TO REQUEST AN ANATOMICAL GIFT~~ PROVIDING FOR  
ORGAN DONATION REQUESTS IN HOSPITALS UNDER CERTAIN  
CIRCUMSTANCES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. ~~Death in hospital of person who has not~~  
~~made anatomical gift request by hospital administrator.~~  
WHEN ORGAN DONATION MAY BE REQUESTED. ~~(1) When death of an~~  
~~individual who has not made an anatomical gift occurs in a~~  
~~hospital~~ (1) WHEN, BASED ON GENERALLY ACCEPTED MEDICAL  
STANDARDS, A HOSPITAL PATIENT IS A SUITABLE CANDIDATE FOR  
ORGAN OR TISSUE DONATION AND HAS NOT MADE AN ANATOMICAL GIFT  
AS PROVIDED IN THIS PART, the hospital administrator or his  
designated representative shall request the person  
authorized in 72-17-201, in order of priority stated when  
persons in prior classes are not available at the time of  
death and in the absence of actual notice of contrary  
indications by the decedent or actual notice of opposition  
by a member of the same or a prior class, to donate all or  
any part of the decedent's body as an anatomical gift.

(2) IF THE HOSPITAL ADMINISTRATOR OR HIS DESIGNATED

REPRESENTATIVE HAS ACTUAL NOTICE OF OPPOSITION TO THE GIFT  
BY THE DECEDENT OR A PERSON AUTHORIZED TO MAKE A GIFT UNDER  
72-17-201 OR REASON TO BELIEVE THAT AN ANATOMICAL GIFT IS  
CONTRARY TO THE DECEDENT'S RELIGIOUS BELIEFS, OR IF THERE  
ARE MEDICAL OR EMOTIONAL CONDITIONS UNDER WHICH THE REQUEST  
WOULD CONTRIBUTE TO SEVERE EMOTIONAL DISTRESS, DONATION OF  
ALL OR PART OF THE DECEDENT'S BODY MAY NOT BE REQUESTED.

~~(2)(3)~~ (3) When a request is made pursuant to this  
section, the request and its disposition must be noted in  
the patient's medical record and on the death certificate  
and documented as provided in 72-17-204(3).

~~(3) The department may by rule authorize an exception~~  
~~to the request required by subsection (1) if, based on~~  
~~medical criteria, such a request would not yield a donation~~  
~~suitable for use.~~

~~(4) The department shall adopt rules concerning:~~  
~~(a) the procedures for making the request required by~~  
~~subsection (1);~~

~~(b) the training of designated representatives who may~~  
~~make the request; and~~

~~(c) the delivery of donations from receiving hospitals~~  
~~to appropriate donees.~~

SECTION 2. IMMUNITY FROM LIABILITY. A PERSON WHO ACTS  
IN GOOD FAITH IN ACCORDANCE WITH THE TERMS OF [SECTION 1] IS  
NOT LIABLE FOR DAMAGES IN ANY CIVIL PROCEEDING OR SUBJECT TO



1 PROSECUTION IN ANY CRIMINAL PROCEEDING THAT MIGHT RESULT  
2 FROM THIS ACTION.

3 SECTION 3. ORGAN PROCUREMENT PROGRAM REQUIRED. THE  
4 ADMINISTRATOR OF A HOSPITAL LICENSED UNDER THIS CHAPTER  
5 SHALL AS A CONDITION OF LICENSURE UNDER 50-5-201:

6 (1) ESTABLISH A WRITTEN PROTOCOL FOR THE  
7 IDENTIFICATION OF POTENTIAL ORGAN DONORS THAT:

8 (A) ASSURES THAT FAMILIES OF POTENTIAL ORGAN DONORS  
9 ARE MADE AWARE OF THE OPTION OF ORGAN OR TISSUE DONATION AND  
10 THEIR OPTION TO DECLINE;

11 (B) ENCOURAGES DISCRETION AND SENSITIVITY WITH RESPECT  
12 TO THE CIRCUMSTANCES, VIEWS, AND BELIEFS OF FAMILIES OF  
13 POTENTIAL ORGAN DONORS; AND

14 (C) REQUIRES THAT A QUALIFIED ORGAN PROCUREMENT AGENCY  
15 BE NOTIFIED OF POTENTIAL ORGAN DONORS;

16 (2) DESIGNATE AND TRAIN A PERSON OR PERSONS TO  
17 REPRESENT HIM FOR PURPOSES OF REQUESTING AN ANATOMICAL GIFT  
18 AS PROVIDED IN [SECTION 1]; AND

19 (3) MAKE KNOWN TO THE PUBLIC THAT THE HOSPITAL HAS AN  
20 ORGAN PROCUREMENT PROGRAM AS DESCRIBED IN SUBSECTION (1).

21 Section 4. Codification instruction. ~~Section-1-is~~ (1)  
22 SECTIONS 1 AND 2 ARE intended to be codified as an integral  
23 part of Title 72, chapter 17, part 2, and the provisions of  
24 Title 72, chapter 17, ~~part-2,~~ apply to ~~section-1~~ SECTIONS 1  
25 AND 2.

1 (2) SECTION 3 IS INTENDED TO BE CODIFIED AS AN  
2 INTEGRAL PART OF TITLE 50, CHAPTER 5, PART 2, AND THE  
3 PROVISIONS OF TITLE 50, CHAPTER 5, APPLY TO SECTION 3.

4 SECTION 5. EXTENSION OF AUTHORITY. ANY EXISTING  
5 AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL  
6 SCIENCES TO MAKE RULES ON THE SUBJECT OF THE PROVISIONS OF  
7 SECTION 3 IS EXTENDED TO THE PROVISIONS OF SECTION 3.

-End-

## 1 SENATE BILL NO. 6

2 INTRODUCED BY LYBECK, J. BROWN, JACOBSON

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT ~~REQUIRING--A--HOSPITAL~~  
5 ~~ADMINISTRATOR--TO--REQUEST--AN--ANATOMICAL--GIFT~~ PROVIDING FOR  
6 ORGAN DONATION REQUESTS IN HOSPITALS UNDER CERTAIN  
7 CIRCUMSTANCES."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. ~~Death--in--hospital--of--person--who--has--not~~  
11 ~~made--anatomical--gift---request--by--hospital--administrator.~~  
12 WHEN ORGAN DONATION MAY BE REQUESTED. ~~{i}--When--death--of--an~~  
13 ~~individual--who--has--not--made--an--anatomical--gift--occurs--in--a~~  
14 ~~hospital~~ (1) WHEN, BASED ON GENERALLY ACCEPTED MEDICAL  
15 STANDARDS, A HOSPITAL PATIENT IS A SUITABLE CANDIDATE FOR  
16 ORGAN OR TISSUE DONATION AND HAS NOT MADE AN ANATOMICAL GIFT  
17 AS PROVIDED IN THIS PART, the hospital administrator or his  
18 designated representative shall request the person  
19 authorized in 72-17-201, in order of priority stated when  
20 persons in prior classes are not available at the time of  
21 death and in the absence of actual notice of contrary  
22 indications by the decedent or actual notice of opposition  
23 by a member of the same or a prior class, to donate all or  
24 any part of the decedent's body as an anatomical gift.

25 (2) IF THE HOSPITAL ADMINISTRATOR OR HIS DESIGNATED

1 REPRESENTATIVE HAS ACTUAL NOTICE OF OPPOSITION TO THE GIFT  
2 BY THE DECEDENT OR A PERSON AUTHORIZED TO MAKE A GIFT UNDER  
3 72-17-201 OR REASON TO BELIEVE THAT AN ANATOMICAL GIFT IS  
4 CONTRARY TO THE DECEDENT'S RELIGIOUS BELIEFS, OR IF THERE  
5 ARE MEDICAL OR EMOTIONAL CONDITIONS UNDER WHICH THE REQUEST  
6 WOULD CONTRIBUTE TO SEVERE EMOTIONAL DISTRESS, DONATION OF  
7 ALL OR PART OF THE DECEDENT'S BODY MAY NOT BE REQUESTED.

8 {2}{3} When a request is made pursuant to this  
9 section, the request and its disposition must be noted in  
10 the patient's medical record and on the death certificate  
11 and documented as provided in 72-17-204(3).

12 {3}--~~The--department--may--by--rule--authorize--an--exception~~  
13 ~~to--the--request--required--by--subsection--{i}--if--based--on~~  
14 ~~medical--criteria--such--a--request--would--not--yield--a--donation~~  
15 ~~suitable--for--use.~~

16 {4}--~~The--department--shall--adopt--rules--concerning--~~  
17 ~~{a}--the--procedures--for--making--the--request--required--by~~  
18 ~~subsection--{i};~~

19 {b}--~~the--training--of--designated--representatives--who--may~~  
20 ~~make--the--request;--and~~  
21 {c}--~~the--delivery--of--donations--from--receiving--hospitals~~  
22 ~~to--appropriate--donees.~~

23 SECTION 2. IMMUNITY FROM LIABILITY. A PERSON WHO ACTS  
24 IN GOOD FAITH IN ACCORDANCE WITH THE TERMS OF [SECTION 1] IS  
25 NOT LIABLE FOR DAMAGES IN ANY CIVIL PROCEEDING OR SUBJECT TO

1 PROSECUTION IN ANY CRIMINAL PROCEEDING THAT MIGHT RESULT  
2 FROM THIS ACTION.

3 SECTION 3. ORGAN PROCUREMENT PROGRAM REQUIRED. THE  
4 ADMINISTRATOR OF A HOSPITAL LICENSED UNDER THIS CHAPTER  
5 SHALL AS A CONDITION OF LICENSURE UNDER 50-5-201:

6 (1) ESTABLISH A WRITTEN PROTOCOL FOR THE  
7 IDENTIFICATION OF POTENTIAL ORGAN DONORS THAT:

8 (A) ASSURES THAT FAMILIES OF POTENTIAL ORGAN DONORS  
9 ARE MADE AWARE OF THE OPTION OF ORGAN OR TISSUE DONATION AND  
10 THEIR OPTION TO DECLINE;

11 (B) ENCOURAGES DISCRETION AND SENSITIVITY WITH RESPECT  
12 TO THE CIRCUMSTANCES, VIEWS, AND BELIEFS OF FAMILIES OF  
13 POTENTIAL ORGAN DONORS; AND

14 (C) REQUIRES THAT A QUALIFIED ORGAN PROCUREMENT AGENCY  
15 BE NOTIFIED OF POTENTIAL ORGAN DONORS;

16 (2) DESIGNATE AND TRAIN A PERSON OR PERSONS TO  
17 REPRESENT HIM FOR PURPOSES OF REQUESTING AN ANATOMICAL GIFT  
18 AS PROVIDED IN (SECTION 1); AND

19 (3) MAKE KNOWN TO THE PUBLIC THAT THE HOSPITAL HAS AN  
20 ORGAN PROCUREMENT PROGRAM AS DESCRIBED IN SUBSECTION (1).

21 Section 4. Codification instruction. Section-1-is (1)  
22 SECTIONS 1 AND 2 ARE intended to be codified as an integral  
23 part of Title 72, chapter 17, part 2, and the provisions of  
24 Title 72, chapter 17, part-2, apply to section-1 SECTIONS 1  
25 AND 2.

1 (2) SECTION 3 IS INTENDED TO BE CODIFIED AS AN  
2 INTEGRAL PART OF TITLE 50, CHAPTER 5, PART 2, AND THE  
3 PROVISIONS OF TITLE 50, CHAPTER 5, APPLY TO SECTION 3.

4 SECTION 5. EXTENSION OF AUTHORITY. ANY EXISTING  
5 AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL  
6 SCIENCES TO MAKE RULES ON THE SUBJECT OF THE PROVISIONS OF  
7 SECTION 3 IS EXTENDED TO THE PROVISIONS OF SECTION 3.

-End-

SENATE BILL NO. 6

INTRODUCED BY LYBECK, J. BROWN, JACOBSON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A HOSPITAL ADMINISTRATOR TO REQUEST AN ANATOMICAL GIFT PROVIDING FOR ORGAN DONATION REQUESTS IN HOSPITALS UNDER CERTAIN CIRCUMSTANCES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Death in hospital of person who has not made anatomical gift request by hospital administrator when organ donation may be requested. (1) When death of an individual who has not made an anatomical gift occurs in a hospital (1) when based on generally accepted medical standards, a hospital patient is a suitable candidate for organ or tissue donation and has not made an anatomical gift as provided in this part, the hospital administrator or his designated representative shall request the person authorized in 72-17-201, in order of priority stated when persons in prior classes are not available at the time of death and in the absence of actual notice of contrary indications by the decedent or actual notice of opposition by a member of the same or a prior class, to donate all or any part of the decedent's body as an anatomical gift.

(2) If the hospital administrator or his designated

representative has actual notice of opposition to the gift by the decedent or a person authorized to make a gift under 72-17-201 or reason to believe that an anatomical gift is contrary to the decedent's religious beliefs, or if there are medical or emotional conditions under which the request would contribute to severe emotional distress, donation of all or part of the decedent's body may not be requested.

(2)(3) When a request is made pursuant to this section, the request and its disposition must be noted in the patient's medical record and on the death certificate and documented as provided in 72-17-204(3).

(3) The department may by rule authorize an exception to the request required by subsection (1) if, based on medical criteria, such a request would not yield a donation suitable for use.

(4) The department shall adopt rules concerning:

(a) the procedures for making the request required by subsection (1);

(b) the training of designated representatives who may make the request; and

(c) the delivery of donations from receiving hospitals to appropriate donees.

SECTION 1. WHEN ORGAN DONATION MAY BE REQUESTED. (1) WHEN, BASED ON GENERALLY ACCEPTED MEDICAL STANDARDS, A HOSPITAL PATIENT IS A SUITABLE CANDIDATE FOR ORGAN OR TISSUE





1 DONATION AND HAS NOT MADE AN ANATOMICAL GIFT AS PROVIDED IN  
 2 THIS PART, THE HOSPITAL ADMINISTRATOR OR HIS DESIGNATED  
 3 REPRESENTATIVE SHALL REQUEST THE PERSON AUTHORIZED IN  
 4 72-17-201 TO DONATE ALL OR ANY PART OF THE DECEDENT'S BODY  
 5 AS AN ANATOMICAL GIFT. REQUESTS SHALL BE MADE IN ORDER OF  
 6 PRIORITY STATED IN 72-17-201 WHEN PERSONS IN PRIOR CLASSES  
 7 ARE NOT AVAILABLE AT THE TIME OF DEATH.

8 (2) DONATION OF ALL OR PART OF THE DECEDENT'S BODY MAY  
 9 NOT BE REQUESTED:

10 (A) IF THE HOSPITAL ADMINISTRATOR OR HIS DESIGNATED  
 11 REPRESENTATIVE:

12 (I) HAS ACTUAL NOTICE OF OPPOSITION TO THE GIFT BY THE  
 13 DECEDENT OR A PERSON IN THE CLASS AUTHORIZED TO MAKE A GIFT  
 14 UNDER 72-17-201; OR

15 (II) HAS REASON TO BELIEVE THAT AN ANATOMICAL GIFT IS  
 16 CONTRARY TO THE DECEDENT'S RELIGIOUS BELIEFS; OR

17 (B) IF THERE ARE MEDICAL OR EMOTIONAL CONDITIONS UNDER  
 18 WHICH THE REQUEST WOULD CONTRIBUTE TO SEVERE EMOTIONAL  
 19 DISTRESS.

20 (3) WHEN A REQUEST IS MADE PURSUANT TO THIS SECTION,  
 21 THE REQUEST AND ITS DISPOSITION MUST BE NOTED IN THE  
 22 PATIENT'S MEDICAL RECORD AND DOCUMENTED AS PROVIDED IN  
 23 72-17-204(3).

24 SECTION 2. IMMUNITY FROM LIABILITY. A PERSON WHO ACTS  
 25 IN GOOD FAITH IN ACCORDANCE WITH THE TERMS OF [SECTION 1] IS

1 NOT LIABLE FOR DAMAGES IN ANY CIVIL PROCEEDING OR SUBJECT TO  
 2 PROSECUTION IN ANY CRIMINAL PROCEEDING THAT MIGHT RESULT  
 3 FROM THIS ACTION.

4 SECTION 3. ORGAN PROCUREMENT PROGRAM REQUIRED. THE  
 5 ADMINISTRATOR OF A HOSPITAL LICENSED UNDER THIS CHAPTER  
 6 SHALL AS A CONDITION OF LICENSURE UNDER 50-5-201:

7 (1) ESTABLISH A WRITTEN PROTOCOL FOR THE  
 8 IDENTIFICATION OF POTENTIAL ORGAN DONORS THAT:

9 (A) ASSURES THAT FAMILIES OF POTENTIAL ORGAN DONORS  
 10 ARE MADE AWARE OF THE OPTION OF ORGAN OR TISSUE DONATION AND  
 11 THEIR OPTION TO DECLINE;

12 (B) ENCOURAGES DISCRETION AND SENSITIVITY WITH RESPECT  
 13 TO THE CIRCUMSTANCES, VIEWS, AND BELIEFS OF FAMILIES OF  
 14 POTENTIAL ORGAN DONORS; AND

15 (C) REQUIRES THAT A QUALIFIED ORGAN PROCUREMENT AGENCY  
 16 BE NOTIFIED OF POTENTIAL ORGAN DONORS;

17 (2) DESIGNATE AND TRAIN A PERSON OR PERSONS TO  
 18 REPRESENT HIM FOR PURPOSES OF REQUESTING AN ANATOMICAL GIFT  
 19 AS PROVIDED IN [SECTION 1]; AND

20 (3) MAKE KNOWN TO THE PUBLIC THAT THE HOSPITAL HAS AN  
 21 ORGAN PROCUREMENT PROGRAM AS DESCRIBED IN SUBSECTION (1).

22 Section 4. Codification instruction. ~~Section-1-is~~ (1)  
 23 SECTIONS 1 AND 2 ARE intended to be codified as an integral  
 24 part of Title 72, chapter 17, part 2, and the provisions of  
 25 Title 72, chapter 17, ~~part-2;~~ apply to ~~section-1~~ SECTIONS 1

1 AND 2.

2 (2) SECTION 3 IS INTENDED TO BE CODIFIED AS AN  
3 INTEGRAL PART OF TITLE 50, CHAPTER 5, PART 2, AND THE  
4 PROVISIONS OF TITLE 50, CHAPTER 5, APPLY TO SECTION 3.

5 SECTION 5. EXTENSION OF AUTHORITY. ANY EXISTING  
6 AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL  
7 SCIENCES TO MAKE RULES ON THE SUBJECT OF THE PROVISIONS OF  
8 SECTION 3 IS EXTENDED TO THE PROVISIONS OF SECTION 3.

-End-

# STANDING COMMITTEE REPORT

## HOUSE

MARCH 5,

19 87

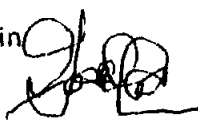
Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report SENATE BILL NO. 6

do pass  
 do not pass

be concurred in  
 be not concurred in

as amended  
 statement of intent attached

  
\_\_\_\_\_  
REP. R. BUDD GOULD,

Chairman

1. Page 1 line 10 through line 22 of page 2.

Strike: section 1 in its entirety

Insert: "Section 1. When organ donation may be requested.

(1) When, based on generally accepted medical standards, a hospital patient is a suitable candidate for organ or tissue donation and has not made an anatomical gift as provided in this part, the hospital administrator or his designated representative shall request the person authorized in 72-17-201 to donate all or any part of the decedent's body as an anatomical gift. Requests shall be made in order of priority stated in 72-17-201 when persons in prior classes are not available at the time of death.

(2) Donation of all or part of the decedent's body may not be requested:

(a) if the hospital administrator or his designated representative:

(i) has actual notice of opposition to the gift by the decedent or a person in the class authorized to make a gift under 72-17-201; or

(ii) has reason to believe that an anatomical gift is contrary to the decedent's religious beliefs; or

(b) if there are medical or emotional conditions under which the request would contribute to severe emotional distress.

(3) When a request is made pursuant to this section, the request and its disposition must be noted in the patient's medical record and documented as provided in 72-17-204(3)."

*M.S.C.*  
*JAA*  
REP. JAN BROWN WILL CARRY THE BILL IN THE HOUSE OF REPRESENTATIVES

THIRD reading copy ( BLUE )  
color