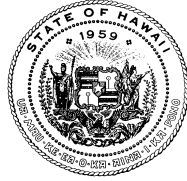


HB214 HD2

Measure Title: RELATING TO DISINTERMENT OF HUMAN BODIES.
Report Title: Cemetery Authority; Disinterment of Human Bodies
Description: Allows cemetery authorities with a current and active license with the Department of Commerce and Consumer Affairs to disinter and reinter human bodies within that same cemetery without filing an application for a permit with the Department of Health. (HB214 HD2)
Companion: [SB1455](#)
Package: None
Current Referral: CPH
Introducer(s): MIZUNO



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB214 HD2
RELATING TO DISINTERMENT OF HUMAN BODIES.**

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: March 19, 2019

Room Number: 229

LATE

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health has negotiated with stakeholders and
3 agreed to compromise amendments, upon which department support is contingent. These
4 amendments are reflected in the current HD2 draft.

5 Thank you for the opportunity to testify.

6 **Offered Amendments:** N/A.

7



Hawaii Funeral & Cemetery Association

1330 Maunakea Street · Honolulu, Hawaii 96817

Written Testimony in **SUPPORT** of **HB214 HD2 Relating to Disinterment of Human Bodies**

TO: Senator Rosalyn H. Baker, Chair; Committee on Commerce, Consumer Protection and Health
Senator Stanley Chang, Vice Chair; Committee on Commerce, Consumer Protection and Health
Members of the Committee

HEARING DATE: Tuesday, March 19th 2019

TIME: 9:05 AM

Place: Conference Room 229

Chair Rosalyn H. Baker, Vice Chair Stanley Chang and Members of the Committee:

My name is Jay Morford, representing the Hawaii Funeral & Cemetery Association (“HFCA”). The HFCA is in strong support of HB214 HD2.

We agree that HB214 HD2 streamlines the disinterment process between the family and a “Cemetery Authority” without applying for a permit.

On the recommendation of Representative John M. Mizuno, Chair-House Committee on Health; Officers of the HFCA, Department of Health Deputy Director and the Deputy Attorney General met to discuss HB214 HD1. We are pleased to say the meeting went very well and we came into an agreement on the language submitted in amended HB214 HD2.

Thank you for your consideration in this matter.

A handwritten signature in black ink, reading "Jay Morford", is enclosed within a red rectangular box.

Jay Morford
President

CC:

Representative John M. Mizuno, Chair-House Committee on Health

Jill T. Nagamine; Deputy Attorney General

Dr. Alvin Onaka- Hawaii State Registrar

Cathy Ross –Deputy Director; Department of Health



Hawaii Funeral & Cemetery Association

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HB214 HD2

SECTION 1. Section 338-25.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) No corpse, nor the remains of any dead human body, exclusive of ashes, shall be exposed, disturbed, or removed from its place of burial, nor shall the receptacle, container, or coffin holding the remains or corpse be opened, removed, or disturbed after due interment, except upon written application made to the director of health for a permit therefor and upon the issuance and according to the terms of a permit granted therefor by the director. After any removal or disturbance the grave shall be filled at once and restored to its former condition. A cemetery authority with a current and active license with the department of commerce and consumer affairs may disinter and reinter a corpse or remains within that same cemetery without filing an application for a permit from the department of health if the cemetery authority has written authorization from the majority of the next-of-kin of the person whose corpse or remains is disinterred, as determined by the priority of succession order required by section 532B-4; provided that this exception shall not apply to disinterment of a corpse or remains for transfer off of the cemetery property to another physical address. The cemetery authority may require a licensed embalmer to be available during the disinterment in the event that human remains may be exposed. For the purposes of this section, "cemetery," "cemetery authority," and "cemetery property," have the same meaning as provided in section 441-1."