

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**LATE**

**Testimony COMMENTING on HB1602 HD1  
RELATING TO HUMAN REMAINS.**

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

Hearing Date: March 11, 2020

Room Number: 229

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

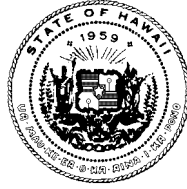
2 **Department Testimony:** The purpose of HB1602 HD1 is to legalize alternatives to burial and  
3 cremation for unclaimed bodies, the costs for which are borne by the Hawaii Department of  
4 Human Services.

5 In May 2019, Governor Jay Inslee signed legislation making Washington state the first state to  
6 approve natural organic reduction as an alternative to burying or cremating human remains.  
7 Proponents of this method claim that benefits may include carbon sequestration and improved  
8 soil health. The final product of this method is compost which contains human remains, among  
9 other materials, which may be distributed to topsoil for personal or industrial agricultural use.

10 The benefit or threat to public health is unknown since long-term studies are unavailable, but this  
11 process raises questions about regulatory boundaries, if any apply, such as testing, disclosure,  
12 wastewater management, and recordation of final disposition of a dead body. These are not  
13 immediate concerns for the department per se, but more community discussion may be warranted  
14 to educate the public and regulators about the process.

15 Thank you for the opportunity to testify.

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



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

March 10, 2020

TO: The Honorable Senator Rosalyn H. Baker, Chair  
Senate Committee on Commerce, Consumer Protection, and Health

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 1602 HD1 – RELATING TO HUMAN REMAINS**

Hearing: March 11, 2020, 9:30 a.m.  
Conference Room 229, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) offers comments and amendments. DHS does not have a position on the amendments made by the House Committee on Consumer Protection & Commerce.

**PURPOSE:** This bill includes the use of natural organic reduction as a method for the disposal of human remains. The bill amends the procedures for the resolution of disputes regarding the right of disposition, the right to rely and act upon written instructions in a funeral service agreement or similar document, and provisions for the disposition of a decedent's remains and recovery of reasonable expenses to include natural organic reduction facilities. Effective 7/1/2050. (HD1)

DHS does not have a position on natural organic reduction as a method for the final disposition of unclaimed dead bodies. However, under Section 4 of this bill, DHS may pay the cost of the natural organic reduction services for unclaimed dead bodies. DHS notes that this bill does not describe how natural organic reduction services would be reimbursed, only that the services may be reimbursed.

If the Legislature decides that natural organic reduction should be an allowable method of final disposition of unclaimed bodies, DHS suggests the following amendments to

ensure that the process is reimbursed like other disposition methods like mortuary and crematory services:

On page 3, line 10, DHS suggests that “mortuary and crematory services” be amended to “mortuary, ~~and crematory,~~ and natural organic reduction services”.

On page 3, line 14, DHS suggests that “human body to be cremated” be amended to “human body to be cremated or to undergo natural organic reduction”.

On page 3, lines 17-18, DHS suggests that “payment for cremation” be amended to “payment for cremation or natural organic reduction services”.

On page 3, line 21, DHS suggests that “payment for cremation” be amended to “payment for cremation or natural organic reduction services”.

Thank you for the opportunity to testify on this bill.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committee on Commerce, Consumer Protection, and Health  
Wednesday, March 11, 2020 at 9:30 a.m.

By  
Jerris Hedges, MD, MS, MMM  
Professor & Dean  
John A. Burns School of Medicine  
And  
Michael Bruno, PhD  
Provost  
University of Hawai'i at Mānoa

HB 1602 HD1 – RELATING TO HUMAN REMAINS.

Chair Baker, Vice-Chair Chang, and members of the committee:

HB 1602 HD1 includes the use of natural organic reduction as a method for the disposal of human remains. The measure also amends the procedures for the resolution of disputes regarding the disposition of a decedent's remains and the recovery of expenses to include natural organic reduction facilities.

The Willed Body Program (WBP) at the John A. Burns School of Medicine (JABSOM), University of Hawai'i at Mānoa has been supporting medical education as a body donor program in Hawai'i. Our mission at JABSOM is to educate current and future healthcare professionals and leaders. For the past 3 years, the WBP has received about 180 anatomical gifts per year.

During the preclinical courses in the 1<sup>st</sup> and 2<sup>nd</sup> year, the medical students receive a basic science and clinical skills foundation upon which to build applied clinical knowledge throughout their continued education and practice. Gross anatomy is one of the foundational courses emphasized in the preclinical courses. During the first two years, medical students learn the anatomy of the entire body through gross anatomical dissection of human cadavers, or "silent teachers" as they are known in our program.

The WBP also supports medical education in anatomy for our surgery and orthopedic residency programs at JABSOM, for Hawai'i-based emergency personnel and other Allied Health Professionals, as well as supports Continuing Medical Education for certain physician specialties which are required to demonstrate maintenance of procedural skills for their continued licensure. Additionally, the WBP sets up multiple workshops in anatomy for local high school students who are interested in becoming future health care workers in Hawai'i.

The WBP recognizes and honors the goodwill of the “silent teachers” and their families. To show appreciation and intense respect for their “silent teachers”, JABSOM students hold an annual Memorial Service in April to which the families are invited. This meaningful service helps JABSOM meet our mission as a community-based and community-engaged medical school whose purpose is to train future physicians for Hawai'i's populations. Disposition of the donated bodies is done in accordance with the donor's and/or family's wishes and in accordance with Hawai'i Revised Statutes chapter 327.

JABSOM is extremely committed to maintaining the highest standards in caring for these gifts – which is the purpose of Hawai'i Revised Statutes section 327-11. Unfortunately, there have been instances where families or potential donors chose to donate their bodies to other entities or programs in Hawai'i with resultant improper handling or disposition. JABSOM supports HB 1602 HD1 in order to prevent such instances from occurring.

Thank you for the opportunity to provide testimony on this matter.



Hawaii Funeral & Cemetery Association, Inc.  
1330 Maunakea Street, Honolulu, Hawaii 96817

Written Testimony with COMMENT on  
HB 1602– Relating to Human Remains

February 6<sup>th</sup> 2019

To: Senator Rosalyn Baker – Chair- Committee on Commerce, Consumer Protection and Health  
Senator Stanley Chang, Vice Chair- Committee on Commerce, Consumer Protection and Health  
Committee Members

HEARING DATE/TIME: March 11, 2020 - 9:30am

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Dear Chair Baker, Vice Chair Chang and Committee Members

My name is Jay Morford, President and Legislative Chair for the Hawaii Funeral and Cemetery Association, Inc. (“HFCA”). The HFCA would like to provide comment on **HB 1602**(“Bill”) “Relating to Human Remains”.

We feel there is not sufficient information to support the disposition of **Natural Organic Reduction** and the overall effects to the environment. The HFCA is in full support of an individual having a choice for alternative forms of disposition, however we do feel there is conflicting information concerning this process and there needs to be a full discussion of regulatory agency(s) oversight over the technology, facilities, environmental impact and the operators licensing prior to moving this bill forward.

We would like to highlight just a couple points of concern regarding this form of disposition.

**Natural Organic Reduction:**

To our knowledge the first Human Composting facility may be opened in Washington State in 2020

- 1) **How will the compost be transferred to the family and then redeposited?** Once the process is complete there is approximately “1” cubic yard of compost weighing 1000 LBs - 2000 Lbs. The human compost will need to be taken by the family and disposed of.
- 2) **What regulatory department(s) will determine where and how human compost remains can be spread?**
- 3) The entire process takes approximately 30 days for the composting process to be complete, the bodies are covered with wood chips and aerated. **Once the process is complete are there bone fragments remaining in the compost, and would this be considered a burial requiring a burial permit or another type of disposition permit?**
- 4) **If Human Remain compost is spread on residential property will this require a home owner disclosure at time of sale stating there is a burial of Human Remains on the property?**

We are concerned with the regulation associated with the entire process and how this will be handled by families once they leave the compost facility. We would like clarification how the Department of Health and other governmental agencies are going to regulate the disposition of **Natural Organic Reduction**.

We respectfully ask HB1602 be deferred and a study group be established to study the **Natural Organic Reduction** process.

Thank you for the opportunity to testify and comment on this bill.