



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Judiciary
Tuesday, June 30, 2020 at 9:46 a.m.

By
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HB 2340 HD2 – RELATING TO DEAD BODIES

Chair Rhoads, Vice-Chair Keohokalole, and members of the committee:

HB 2340 HD2 proposes to amend chapter 327, Hawai'i Revised Statutes, relating to the medical and research use of bodies, and chapter 711, Hawai'i Revised Statutes, relating to offenses against the public order, to clarify prohibited actions related to anatomical gifts. The measure also clarifies that organ procurement organizations are entities that can receive an anatomical gift, be responsible for the final disposition of an anatomical gift, and are exempt from the offense of abuse of a corpse for removing body parts or organs for transplantation or therapy prior to obtaining a disposition permit.

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 JABSOM WBP has received about 180 anatomical gifts per year.

During the preclinical courses in the 1st and 2nd 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.

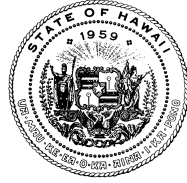
The WBP also supports medical education in anatomy for our surgery and orthopedic residency programs at JABSOM, for Hawai'i-based emergency personnel and other Allied Health Professionals, as well as supports Continuing Medical Education for certain physician specialties which are required to demonstrate 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.

We are extremely committed to maintaining the highest standards in caring for these gifts – which is the purpose of Hawai'i Revised Statutes chapter 327-11 and chapter 711-1108. 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. We **support** HB 2340 HD2 in order to prevent such instances from occurring.

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



STATE OF HAWAII
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LATE

**Testimony in SUPPORT of HB2340 HD2
RELATING TO DEAD BODIES.**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: June 20, 2020

Room Number: 016

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

2 **Department Testimony:** The purpose of this bill is to limit the anatomical gift of a body to a
3 named hospital, accredited medical school, dental school, college, university, or procurement
4 organization only for the purposes of the anatomical gift and to hold these entities responsible for
5 the final disposition of the dead human body, including obtaining the required disposition
6 permits issued by the Department of Health. The bill also creates the offense of abuse of a
7 corpse for the unauthorized acceptance of a donated human body and the unauthorized disposal
8 of a body without a disposition permit.

9 **[\$327-11] Persons that may receive anatomical gift;**
10 **purpose of anatomical gift.** (a) An anatomical gift of a
11 body or body part may be made to the following persons:

12 (1) A named hospital, accredited medical school,
13 dental school, college, university, or ~~[organ]~~

1 procurement organization. ~~[, or other appropriate person~~
2 ~~for research or education;]~~

3 (2) A named individual designated by the person
4 making the anatomical gift if the individual is the
5 recipient of the body part; or, if the body part for any
6 reason cannot be transplanted into the individual, the
7 body part shall pass in accordance with subsection (f) in
8 the absence of an express, contrary indication by the
9 person making the anatomical gift; or

10 (3) A named eye bank or tissue bank.

11 The Department of Health further recommends conforming amendments as follows on Page 2,
12 Section 3.

13 **§327-36 Final disposition of ~~[bodies retained for~~**
14 **~~medical education and research purposes.] anatomical~~**
15 **gifts.** ~~[A university, hospital, or institution]~~ A person
16 or procurement organization that holds a dead human body
17 as a result of an anatomical gift shall, when the body is
18 deemed of no further value for ~~[medical]~~ purposes of

1 transplantation, therapy, research or education [and
2 research purposes], be responsible for the final
3 disposition of that dead human body and all of its parts,
4 except those parts used for transplantation. The person
5 or procurement organization shall dispose of the remains
6 by cremation, except as otherwise provided in section
7 327-14[-] or as directed in a document of gift, subject
8 to any required disposition permits.

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