

FINAL BILL REPORT

ESSB 5001

Synopsis as Enacted

Brief Description: Concerning human remains.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators Pedersen, King, Rivers, Keiser, Palumbo, Saldaña, Liias, Carlyle, Conway, Kuderer and Van De Wege).

Senate Committee on Labor & Commerce

House Committee on Consumer Protection & Business

House Committee on Appropriations

Background: The Funeral and Cemetery Board (Board) enforces and administers the laws generally related to cemeteries, morgues, and human remains. The director of the Department of Licensing (DOL), in consultation with the Board, administers the laws. Facilities, including crematories, that perform services related to the final disposition of human remains are licensed, by a permit or endorsement, by DOL and may be inspected.

The director of DOL must appoint the inspector of funeral establishments, crematories, funeral directors, and embalmers of the state of Washington (Inspector), who must have been a licensed funeral director and embalmer in the state, with a minimum of five consecutive years of experience. The Inspector is authorized to:

- enter the premises or place of business, where funeral directing, embalming, or cremation is carried on for the purpose of inspection;
- inspect the licenses and registrations of funeral directors, embalmers, funeral director interns, and embalmer interns;
- serve and execute any papers or process issued by the director; and
- perform any other duty or duties ordered by the director.

Cremation is the reduction of human remains to bone fragments in a crematory by means of incineration. Conducting a cremation without a permit or endorsement is a misdemeanor.

DOL regulates certain professions and businesses, including funeral directors, embalmers, funeral establishments, cemeteries, and crematories. There are laws related to how human remains may be handled, stored, and for their disposition. In instances where the deceased human remains are cremated, there are regulations related to their scattering.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Subject to the terms of the document of gift and the Uniform Anatomical Gift Act, a person that accepts an anatomical gift of an entire body may allow embalming, burial, or cremation, and use of remains in a funeral service.

Summary: Alkaline hydrolysis and natural organic reduction are added as allowable reduction methods for handling deceased persons' bodies for their disposition. Alkaline hydrolysis is the reduction of human remains to bone fragments and essential elements in a licensed hydrolysis facility using heat, pressure, water, and base chemical agents. Natural organic reduction is the contained, accelerated conversion of human remains to soil.

A license or endorsement is required in order to operate a crematory or conduct a cremation, operate or conduct alkaline hydrolysis, operate or conduct natural organic reduction, or operate a natural organic reduction facility.

Subject to the terms of the document of gift and the Uniform Anatomical Gift Act, a person that accepts an anatomical gift of an entire body may allow embalming, burial, alkaline hydrolysis, natural organic reduction, and use of remains in a funeral service.

The Inspector's inspection authority is modified to entering the premises or place of business, where funeral directing, embalming, alkaline hydrolysis, or natural organic reduction is carried on for the purpose of inspection.

Various statutes governing the final disposition of human remains, handling and scattering of the remains, and the operation of facilities that offer these services are amended to include alkaline hydrolysis and natural organic reduction. Generally, the amendments include adding alkaline hydrolysis, natural organic reduction, final disposition, and related terms in a similar manner to cremation terms. The term human remains is modified. Technical changes are made.

Votes on Final Passage:

Senate	36	11	
House	80	16	(House amended)
Senate	38	11	(Senate concurred)

Effective: The bill takes effect on May 1, 2020.