



Maryland State Funeral Directors Association, Inc.

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HB 1060 (Cremations-Natural Organic Reduction-Regulation)

Position of the MD State Funeral Directors Association (MSFDA):

OPPOSED

The MSFDA does not oppose natural organic reduction, or human composting, as a choice some individuals may wish to make. However, MSFDA does oppose HB 1060 because of serious issues in the way the bill has been drafted:

1. **HB 1060, as drafted, will cause serious and substantial confusion in the disposition of bodies.** MD law specifically allows an individual the right to decide on the disposition of his own body. See, MD Code, Health Occupations Article, Sec. 7-410; Health General Article, Sec 5-. The choice of the individual must be in writing and witnessed. And the decision of the individual is legally binding under MD law.

Over the course of a year, literally hundreds, or more, individuals execute such documents indicating their choice of disposition. It is often done in a will, or in an advance directive. As indicated, those decisions are legally binding.

In most instances, the individual will simply indicate “cremation” as the method of disposition. After death, that has always been an easily understood directive in the past, but in the event HB 1060 is enacted, that will no longer be true, as this bill now defines “cremation” to also include human composting. The process of human composting, of course, is vastly different than traditional cremation, in its processes, length of time, and final results (which will result in hundreds of pounds of human soil which will need to be disposed of somewhere.)

A funeral director, presented with a document choosing “cremation” in a will or other document, will have no way of determining which of the two vastly different cremation processes were intended by the deceased. Rather than risking legal liability by simply picking one of the two options, any reasonable funeral director will refer the family to seek a court order, with its substantial costs and delay, and where the judge will no doubt be faced with the same uncertain determination of which process the decedent meant.

Thus, as drafted, HB 1060 will cause confusion, delay, and substantial additional costs to families in hundreds of cases where the decedent chooses “cremation” in a will, advance directive, or other document.

2. In addition, HB 869 calls for MDE to conduct a study of the potential environmental and public health consequences of all methods of disposition, including human composting, and to make appropriate recommendations. **Given that human composting is a very new procedure, it would seem prudent to wait for an adequate study.** With each human composting producing 500 or more pounds of human soil, MDE may very well have recommendations on limiting disposal, for example, on agricultural land, in landfills, in concentrated areas, in Chesapeake Bay Critical Areas, etc.
3. Any draft of a bill regarding human composting should be deferred until the above issues are resolved. Therefore, **MSFDA requests an UNFAVORABLE REPORT on HB 1060.**