



Funeral Consumers Alliance of Maryland and Environs

Protecting a consumer's right to a meaningful, dignified, and affordable funeral.

HB 1060 – Support

Testimony for the Senate Finance Committee of the Maryland General Assembly

Submitted March 28, 2023

The Funeral Consumers Alliance of Maryland and Environs (FCAME) submits this testimony in response to concerns raised by the Maryland Board of Morticians (BOM) and the Maryland Catholic Conference about HB1060.

The BOM professes a concern that classifying Natural Organic Reduction (NOR) as a form of cremation might confuse both practitioners and members of the public. However, alkaline hydrolysis is also classified as a form of cremation for regulatory purposes and NOR is similar to alkaline hydrolysis and flame cremation in that it consists of placing the body in a container and using heat and to some extent mechanical treatment, as well as natural processes, that results in the accelerated reduction of the body to ashes or, in the case of NOR, soil amendment, and bone fragments. The fact that it is classified by the State as a form of cremation for regulatory purposes is not something that members of the public will likely even be aware of.

The BOM also expresses concern that there is not enough data about NOR to write regulations for it. Fortunately, there is quite a lot of experience and research about animal composting and, more recently with human composting at this point, including its effects on human and environmental safety. There are now 6 states where Natural Organic Reduction is already legal. Washington state was the first, where Recompose, the first facility to offer it, began operating in late 2020. Washington, Oregon, and Colorado have already written regulations for it and Vermont, California and New York are in the process of doing so.

The Recompose process was carefully designed with reference to studies of human and animal composting done at the University of Washington by Dr. Lynne Carpenter-Boggs, a professor of soil science and sustainable agriculture. These studies built upon the experience drawn over many years from the composting of large farm animals that have died from natural causes or from large-scale epidemics and is regulated by the USDA to ensure human and environmental safety. The process has been shown to control most viral, bacterial, fungal, and protozoan pathogens. A few exceptions include the anthrax bacillus and prions (which cause mad cow disease and Creutzfeldt-Jakob disease in people).

So, Recompose prohibits people who have had certain diseases, including prion infections, Ebola, or tuberculosis, from undergoing NOR. And it carefully monitors conditions during the process to ensure temperatures adequate to kill pathogens. NOR facilities in Washington state are required to test for fecal coliform and salmonella bacteria as well as certain metals and contaminants.

FCAME welcomes the study proposed by HB0869, currently under consideration in the Senate, that would study the environmental effects of all forms of body disposition. Such a study would be useful in providing

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information that could help consumers make informed choices. But such a study is not likely to be able to provide the depth of information already available from years of experience and study of animal composting or the monitoring of NOR facilities that are currently operating in other states such as Recompose.

In response to the Catholic Conference position that NOR is undignified, FCAME supports anyone's right to make decisions for themselves according to their own feelings about what type of after-death care seems most dignified to them. But a basic tenet of our democracy is the separation of church and state, and the Catholic Church should have no authority to decide for others what constitutes a dignified disposition. Many of us familiar with after death care practices feel that the controlled NOR process, which may be preceded by a "laying in" ceremony with family and friends, is more dignified and intimate than a traditional burial with embalming. And many of us are fine with the idea of simply returning to the earth and having whatever remains of us participate in the ongoing cycle of living and dying by being part of the natural order of things, including cushioning the footfalls of people and animals, and nourishing plants.

FCAME supports the legalization of NOR in Maryland to expand the options available to Maryland residents for environmentally-friendly methods of after-death care.

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