



Funeral Consumers Alliance of Maryland and Environs

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

HB 1187 - Favorable

Testimony for the Judiciary Committee of the House of Delegates Of the Maryland General Assembly

February 27, 2014

Submitted by Brian E. Ditzler, Vice President
Funeral Consumers Alliance of Maryland & Environs

Chairman Vallario and Members of the Committee:

Thank you for the opportunity to provide testimony from the Funeral Consumers Alliance of Maryland and Environs (FCAME) in support of House Bill 1187 which addresses a very real problem in our society - the trafficking of human organs.

FCAME is the volunteer-run, regional chapter of the Funeral Consumers Alliance (FCA), the oldest and largest non-profit watchdog organization protecting the rights (and wallets) of grieving consumers. FCA's many chapters across the country are dedicated to: helping consumers be more informed about death care options, and protecting the public from fraud and abuse in cremation, funeral and burial transactions. FCA and its chapters take no money from the death care industry or government, and act as a voice for consumer interests.

At present, Maryland statute prohibits the buying, selling or transporting of bodies or human organs in Subtitle 4 of Health General Title 5 - Death, which is focused primarily on the powers and responsibilities of the State Anatomy Board. The prohibitions mentioned in that section relating to buying and selling of organs are quite limited and no potential penalties are listed.

HB 1187 would address the problem of trafficking in human organs in a much more comprehensive manner that details a number of specific actions that would be prohibited. Also, the bill would impose criminal penalties when a person is convicted of violating the restrictions specified in the bill.

There is indeed a great need now to address the problem of trafficking in human organs. An Internet search on how much a human body is worth reveals that if all the parts were sold, a human body could be worth many millions of dollars in total. For example, a kidney reportedly can bring \$90,000 or more; a heart

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reportedly is worth \$57,000 or more; the going rate for a lung is \$58,200; bone marrow reportedly is worth \$23,000 per gram.

Why? Every year, more than 100,000 people reportedly join the waiting list to receive transplanted human organs. However, many die before a needed organ becomes available. Also, bodies and body parts are needed for scientific research and medical education.

With the demand for body parts exceeding the legal supply of such organs from donors, some individuals with access to bodies, including unscrupulous morticians and crematory operators, have been found to traffic in human organs. Body parts also are obtained from the living through coercion, abduction, deception and by exercising power over individuals.

SB 1187 would enable much needed expansion in the empowerment of law enforcement and health department investigators in our state to look for and prosecute those who are trafficking in human organs.

While we support the bill, we do have a concern with one provision of it. The potential penalty it proscribes if someone is convicted may be insufficient to discourage trafficking in human organs because the rewards for selling body parts on the black market now are so high.

In summary, the Funeral Consumers Alliance of Maryland & Environs asks this committee to do what's best for the public welfare and consumers in our state. Please issue a favorable report on HB 1187.