



Funeral Consumers Alliance of Maryland and Environs

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

Senate Committee on Judicial Proceedings of the Maryland General Assembly

Testimony on: SB 721 (Crimes - Sale or Purchase of Human Remains - Penalties)

Position: Support

Hearing date: March 10, 2016

Thank you for the opportunity to provide testimony in support of SB 721 that would prohibit a person from purchasing or selling human remains, including the body of a deceased person or a body part removed from a living or deceased person, and provides penalties for doing so.

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 human remains and body parts are quite limited and no potential penalties are listed. SB 721 would address the problem of trafficking in human remains and body parts in a more comprehensive manner.

There is indeed a great need now to address the problem of trafficking in human remains. 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 hundreds of thousands of dollars or more in total. For example, a kidney reportedly can bring as much as \$160,000. Why? Every year, more than 90,000 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 remains. Body parts also are obtained from the living through coercion, abduction, deception and through sale by individuals desperate for money.

SB 721 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 or attempting to traffic in human remains.

While we support the bill, we do have a concern that the potential penalty it proscribes if someone is convicted is insufficient to discourage trafficking in human remains 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 721.

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FCAME is the volunteer-run, regional chapter of the non-profit Funeral Consumers Alliance (FCA), the oldest and largest consumer protection organization focused solely on guarding 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.

Funeral Consumers Alliance of Maryland & Environs (FCAME)

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