

WASHINGTON STATE BOARD OF HEALTH

Date: June 12, 2024

To: Washington State Board of Health Members

From: Patty Hayes, Board Chair

Subject: Rules Hearing—Handling of Human Remains, Chapter 246-500 WAC

Background and Summary:

[RCW 43.20.050\(2\)\(f\)](#) grants the State Board of Health (Board) authority to adopt rules for the prevention and control of infectious and noninfectious diseases, including rules governing the receipt and conveyance of remains of deceased persons. These rules are established in [chapter 246-500 WAC](#).

During the 2024 session, the Washington State Legislature passed [Substitute House Bill 1974](#) (Chapter 57 Laws of 24), which amends [RCW 68.50.230](#) to reduce the period during which a person or entity must be in lawful possession of human remains before disposal in the absence of direction from relatives or persons interested in the decedent from 90 days to 45 days and adds counties to the list of entities that can lawfully dispose of remains after 45 days.

The purpose of the holding period is to give family members and interested persons time to claim the body and direct the disposition. Sometimes relatives or other interested parties fail, neglect, or refuse to do so.

Chapter 246-500 WAC references the previous statutory 90 day holding period regarding remains reduced through cremation, alkaline hydrolysis, and natural organic reduction. In April, the Board directed that the rule be updated to reflect the changes in the statute. The Board filed the CR-102, Proposed Rules, on May 1, 2024, as [WSR 24-10-094](#). Board staff alerted interested parties of the proposed changes on May 16, 2024. We received 3 comments supporting the change, which are included in your packets. We did not receive any opposing comments.

Today's agenda item includes a brief presentation on the proposed change, a summary of written public comments received, and recommendations for your consideration. The presentation will be followed by a public hearing allowing public testimony on the proposed rules and, finally, by Board discussion and action on the proposed rules.

(continued on the next page)

Recommended Board Actions:

The Board may wish to consider and amend, if necessary, one of the following motions:

The Board adopts the proposed amendments to chapter 246-500 WAC, Handling of Human Remains, as published in WSR 24-10-094, and directs staff to file a CR-103, Order of Adoption, and establish an effective date for the rules.

OR

The Board continues discussion of possible adoption of proposed amendments to chapter 246-500 WAC, Handling of Human Remains, as published in WSR 24-10-094, to its next meeting.

Staff

Shay Bauman, Policy Advisor

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