

Prevent the Trafficking of Human Bodies and Body Parts

Consensual Donation and Research Integrity Act

(S.1270/H.R.2589)



The Problem

- Each year, thousands of Americans donate their bodies in the belief they are contributing to the advancement of science.
- Medical schools, researchers, physicians, mortuary science students and other medical professionals rely on donated human bodies and body parts for training and to develop new medicines, treatments and surgical instruments.
- Universities and state-run anatomy programs do not actively solicit donations; in fact, some schools have reported that competition from body brokers has reduced the number of bodies donated to schools to train students and conduct research.
- When a family donates a loved one's organs or tissues for transplantation, the process is transparent and tightly regulated; and families can specify which organs they wish to donate and can opt for an open-casket funeral.
- While there are regulations that govern *how* the body of an individual may be donated, **once a body is donated for research or medical training, there is little federal or state regulation over what happens to it. Few rules mean few consequences when bodies are mistreated or trafficked by body brokers.**
- In almost every state, it is legal for anyone, even if they do not have training, to sell the human remains of adults. A trafficker can sell a donated human body for \$5,000 - \$10,000 or more. Bodies and body parts can be repeatedly sold and leased across state lines. As a result, it can be difficult to track what becomes of donors' bodies or body parts, ensure they are handled with dignity and returned to their loved ones after cremation.
- The lucrative business model for traffickers hinges on access to a large supply of free bodies, which often come from the poor and elderly. In return for a body, brokers typically offer free removal and cremation.



The Solution

The *Consensual Donation & Research Integrity Act* (S.1270/H.R.2589), which has been introduced in both the House and Senate, will provide the Secretary of Health and Human Services (HHS) with oversight and authority over facilities that receive donated human bodies and body parts for education and research.

The bill would:

- Require certain entities that acquire human bodies, and sell for profit a whole human body or human body part, to register with the HHS. Registered entities must comply with record-keeping, labeling, packaging and disposition requirements.
- Protect next-of-kin by giving them rights to know exactly how their loved one's body will be used throughout the entire donation process.
- Establish chain-of-custody rules to ensure respectful transfer of human bodies for education and research.
- Create standards for labeling, packing and shipment of human remains.
- Craft standards for the final disposition of remains and return to the donor's next-of-kin.
- **The registration and related requirements do not apply to:**
 - The Organ Transplantation Network (a public-private partnership that links the professionals involved in the U.S. donation and transplantation system) or its members.
 - Schools of medicine, dentistry and mortuary science and other research and training entities that do not sell whole human bodies or body parts for profit. Schools will actually benefit from this bill because they will not have to compete with the unfair marketing practices of body brokers.



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Budget Neutral

Each entity must pay registration fees to the HHS, which will be used to fund the enforcement of the act; there is no cost to taxpayers.

Sponsors:

Thom Tillis (R-NC) and Chris Murphy (D-CT)
Reps. Gus Bilirakis (R-FL) and Lizzie Fletcher (D-TX)

Committee Jurisdiction:

- House Committee on Energy and Commerce (Subcommittee on Health)
- Senate Health Education Labor and Pensions Committee

Learn more and hear the stories of families that have been harmed by body brokers:

www.NFDA.org/BodyBrokerBill

For More Information:

Lesley Witter, NFDA Senior Vice President, Advocacy, 202-236-4926, LWitter@NFDA.org