

Under Oregon law, pathological waste must be destroyed by incineration within either 7 or 30 days after it is generated, depending on the method of storage. As defined in ORS 459.386, Pathological Waste Includes:

- “(A) Biopsy materials and all human tissues;
- (B) Anatomical parts that emanate from surgeries, autopsies and obstetrical and laboratory procedures; and
- (C) Animal carcasses exposed to pathogens in research and the bedding and other waste from such animals.”

Hospitals in Oregon frequently treat patients who hold religious beliefs, or hail from cultural heritages that require ceremonial burial or other forms of final disposition of their removed body parts. The law, as currently written, prohibits hospitals, surgery centers, and other health care facilities in the state from returning amputated limbs, removed organs, and other forms of pathological waste to the patients from whom they were removed, which often violates their sincerely held religious or cultural beliefs. The proposed amendments to SB 189 seek to remedy this injustice.

Our neighbor to the north, Washington, has already adopted a similar amendment to their revised code which exempts “anatomical parts that are intended for final disposition” from the definition of pathological waste and the attendant disposal requirements. *RCW 70A.228.010*.

As Oregonians, we see the immense value of allowing all people to carry out their religious, spiritual, and cultural practices. Oregon law, as it currently stands, has caused many people in the spiritual and emotional pain, due to the lack of consideration for the diverse practices relating to disposition of remains and anatomical parts.

Unfortunately, we cannot go back and alleviate the spiritual suffering that has already occurred to those whose religious and cultural practices were not able to be honored because of these laws. However, the proposed amendments will allow hospitals and other health care facilities to return amputated limbs, removed organs and other anatomical parts to patients who are intending them for final disposition in accordance with their sincerely held beliefs. I ask that the State of Oregon adopt this amendment to SB 189 in order to allow all people in Oregon to control the final disposition of their own body parts in accordance with their religious, cultural, and spiritual beliefs.

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