

# WASHINGTON STATE BOARD OF HEALTH

June 27, 2024

**TO:** Michelle Davis, MPA  
Executive Director, Washington State Board of Health

**FROM:** Shay Bauman, Policy Advisor  
Washington State Board of Health

**SUBJECT:** CONCISE EXPLANATORY STATEMENT for WAC 246-500-050, Human Remains Through Cremation, WAC 246-500-053, Human Remains Reduced Through Alkaline Hydrolysis, and WAC 246-500-055, Human Remains Reduced Through Natural Organic Reduction, Aligning the rule with recent changes in statute.

1. Identify the agency's reasons for adopting this rule.

The Washington State Board of Health (Board) has the authority under RCW 43.20.050(2)(f) to adopt rules and standards for the prevention and control of infectious and noninfectious diseases. This includes rules about the receipt and transport of remains of deceased persons. Chapter 246-500 WAC establishes standards for health and safety measures in the handling of human remains.

During the 2024 session, the Washington State Legislature passed Substitute House Bill 1974 (chapter 57, Laws of 2024), 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.

Chapter 246-500 WAC references the previous statutory 90 day holding period regarding remains reduced through cremation, alkaline hydrolysis, and natural organic reduction. On June 12, 2024, the Board adopted amendments to the rule to reflect the changes in the statute.

2. Is the adopted rule different from the text of the proposed rule as published in the Washington State Register? YES  or NO

If yes, explain why the rule was changed.

3. By category or subject matter, summarize all comments received since filing the CR-102 regarding the proposed rule, program's responses, and either how the final rule reflects agency consideration of those comments or why the agency cannot use those comments.

The Board received three written comments supporting the rule change. The Board received one written comment suggesting that entities possessing unclaimed human remains should have a tree planted, and to place the unclaimed human remains near the tree. The Board cannot use this comment, as the authority to dictate the disposition of unclaimed human remains is established in statute.

4. Describe any remaining public opposition to the rule.

None at this time and we do not anticipate any opposition to the rule.

Any questions regarding this rule adoption should be directed to Shay Bauman, Policy Advisor, at [shay.bauman@sboh.wa.gov](mailto:shay.bauman@sboh.wa.gov) or by phone at 564-669-8929.

Attachments:

Code Reviser (CR) 103P form  
Final Order Typing Service (OTS) copy of rule language text  
Final Cost of Rulemaking form