



TASK FORCE ON BEST PRACTICES AND LICENSING OF NON-TRANSPLANT ORGAN DONATION ORGANIZATIONS

REPORT TO THE GOVERNOR AND
GENERAL ASSEMBLY

FEBRUARY 2022

The contents of this report are based upon the findings of the Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations, pursuant to Public Act 102-0096.

February 22, 2022

To the Governor and the Members of the Illinois General Assembly,

Organ and tissue donors save lives, restore sight and improve the quality of life for recipients throughout Illinois every day. The Secretary of State's office is proud to maintain and promote the Illinois Organ/Tissue Donor Registry - a registry of 7 million Illinoisans.

Equally important, however, is the practice of "whole-body donation," which is when a donation is used by institutions of medical and scientific study for education, research and training purposes. Under certain conditions, a donor may be ineligible to offer a life-saving transplant, but is able to contribute to medical training and research necessary for advancement across a wide range of medical fields. I want to make it clear from the beginning that these are not the same practices and that the Secretary of State's Office does not have any duties or expertise for whole-body donation.

Organizations that accept or process whole-body donations owe a duty of transparency and safekeeping to the donor and his or her next of kin. Sadly, recent events have shown that organizations, driven by profit, often prey on families in their time of need and do not treat donors in a dignified manner. This largely unregulated industry has proven to be a blight on otherwise honorable work, as evidenced by the courageous families who testified about the horrors they have experienced and the trauma they continue to live with.

The Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations, or Organ Donor Task Force for short, held meetings between August 2021 and February 2022. Discussions focused on recent legislative efforts in Illinois, statutes that may be better utilized and the legislative landscape throughout the country. The task force also sought testimony of victims' families and industry experts, in order to make a sound assessment on the best practices in relation to the licensing and regulation of organizations that solicit or accept non-transplant whole bodies and body parts.

Pursuant to Public Act 102-0096, the task force is pleased to present you with the report and recommendations based on its findings.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Williams". The signature is fluid and cursive, with a large initial "A" and "W".

Members of the Organ Donor Task Force
Amy Williams, Chairwoman

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TASK FORCE MEMBERSHIP

- Amy Williams..... Chairwoman
Assistant General Counsel, General Counsel’s Office, Secretary of State
Appointed by Secretary of State Jesse White
- Connie Boatman..... Member
Director, Organ/Tissue Donor Program, Secretary of State
Appointed by Secretary of State Jesse White
- Dan Brady..... Member
Representative, 105th District
Appointed by House Minority Leader Jim Durkin
- Patricia Van Pelt..... Member
Senator, 5th District
Appointed by Senate President Don Harmon
- Jil Tracy..... Member
Senator, 47th District
Appointed by Senate Minority Leader Dan McConchie
- Chaundra Bishop..... Member
Champaign Public Health District
Appointed by House Speaker Emanuel Chris Welch
- Aaron Beswick..... Member
Senior Policy Advisor, Illinois Department of Public Health
Appointed by IDPH Director, Dr. Ngozi Ezike
- Callum Ross, PhD..... Member
Professor of Organismal Biology and Anatomy, University of Chicago
Appointed by Governor J.B. Pritzker

PURPOSE OF TASK FORCE

The Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations was created by Senate Bill 363, which was sponsored by Senator Patricia Van Pelt, Senator Michael Hastings, Representative Dan Brady and Representative Carol Ammons.

The legislation was a recognition that organizations that engage in whole body donation or body part donation, which are not used for transplantation purposes, are largely unregulated and have recently been subject to scrutiny over the widely publicized misuse or mishandling of donor bodies and body parts.

The goal was meet no less than five times between the effective date (July 9, 2021) and December 31, 2021, to prepare a report that summarizes its work and makes recommendations resulting from its review, and to make those recommendations available to the General Assembly and Office of the Governor no later than January 15, 2022. Unfortunately, due to the rapid spread of the COVID-19 Omicron variant during the months of December and January, followed by further disruptions to state government, the report was not finalized until February 2022.

OVERVIEW OF MEETINGS

The Organ Donor Task Force met six times between August 2021 and February 2022. A brief description of each meeting will follow. Additionally, the agendas, minutes and final report may be found at the following url:

https://www.ilsos.gov/services/open_meetings_act/nontransplant_organ_donor/home.html

- **AUGUST 24, 2021**

Secretary of State Jesse White gathered the appointed members of the task force for an organizational meeting. Victim families shared personal stories about their experiences and offered insights into how the process could have gone differently.

The requirements of Public Act 102-0096 were outlined and discussions centered on how to better utilize current laws and how to proceed effectively with new laws. The members decided to review legislation from other states as a point of discussion at the next meeting.

- **SEPTEMBER 14, 2021**

Chairwoman Williams led a substantive discussion that included the original draft form of Senate Bill 363, which was filed by Senator Van Pelt on February 19, 2021. The original language created the Non-Transplant Organ Donation Regulation Act, which required organizations to be licensed

and registered and set guidelines for application, accreditation, renewal and fees. The bill was eventually amended to create a task force to further study the issue. Other points of discussion involved legislation in Nevada, Oregon and a review of the Illinois Department of Public Health's Administrative Rules on the regulation of sperm and tissue banks.

Several members noted areas of concern that needed to be addressed in any future legislation. The task force unanimously agreed to hear testimony at their next meeting from the Illinois Anatomical Gift Association, regarding best practices that they have adopted.

- **OCTOBER 5, 2021**

Bill O'Connor, Executive Vice President of the Anatomical Gift Association of Illinois, led the members through a PowerPoint presentation, which detailed the process of donation from beginning to end along with a detailed explanation of the four sequences that take place:

- 1) The Donor
- 2) Non-Transplant Tissue Bank
- 3) Study of the Donor
- 4) Disposition

Members engaged, asked questions and determined to collate key components from the three meetings for a future discussion on recommendations.

- **OCTOBER 26, 2021**

The members referenced key points of Public Act 102-0096 and offered recommendations on a variety of issues including registering institutions, increasing penalties for misconduct, and educating the public. Consideration was made based upon input from victim families and the Anatomical Gift Association of Illinois. Recommendations also included areas of government that could best serve and appropriate fees that may apply for the successful implementation of new provisions.

- **NOVEMBER 30, 2021**

Chairwoman Williams led a substantive discussion through a draft version of the final report. Revisions were offered on the topics of increasing transparency, specifically regarding the universal consent form and the point of contact for any perceived problems. Revisions also centered on the registration and licensing process for organizations. Victim families and the Anatomical Gift Association of Illinois offered further input.

- **FEBRUARY 18, 2022**

The members convened remotely to vote on the report due to the Governor and General Assembly.

TESTIMONY FROM VICTIM FAMILIES

- **JOHN BUTSCH**

Mr. Butsch represented his daughter, Alexandria Orba, who died on October 27, 2014. Her body was donated to Biological Resource Center of Illinois (BRCIL) for the benefit of scientific research. He indicated that her cremated remains were returned to the family, but in early 2015 he was later informed by the Federal Bureau of Investigation (FBI) that her body and evidence of federal crimes were found in its January 2015 raid on BRCIL at facilities in Rosemont and Schiller Park, Illinois.

Mr. Butsch testified that there is no accountable, systematic or educational protocol in Illinois for the donation of non-transplant organ and tissue. He indicated that in the case of his daughter, he understood her wishes to be an organ donor, however the circumstances of her death prevented that option from occurring.

Mr. Butsch noted the need for families in these circumstances to have clear direction on options from trusted entities, for increased scrutiny and standards for non-transplant organ and tissue organizations, for better utilization of current laws and increased awareness to the general public on what organ donation means.

Mr. Butsch also advocated for the rededication of a memorial that currently stands in Elm Lawn Cemetery in Elmhurst. He noted that BRCIL created the memorial as a tribute to donors, but it has been tainted through the misdeeds of that program.

- **DAWN DiNARDO**

Ms. DiNardo represented her father, Frank DiNardo, who was a veteran under care at Edward Hines, Jr. VA Hospital. His diagnosis allowed him and his wife enough time to consider end-of-life options. They met with Biological Resource Center of Illinois and made the decision together that he would donate his body for the advancement of medical research. They received assurances that the process of finding a use for the organs and tissue would be within weeks, and upon completion of the research, the cremated remains would be returned to the family.

Ms. DiNardo's father died in November of 2011, he was a whole-body donor and the family received his cremated remains shortly after. However, in 2019 she was informed by the Federal Bureau of Investigation that her father's head was found in a warehouse in Michigan. She noted that the discovery was made in 2013, but it wasn't until 2019, upon completion of a trial, that she had any knowledge of this event.

Ms. DiNardo said that the degradation and profit were not what her father signed up for. Her family expected the process of whole-body donation to be sacred. They expected the donation to be handled with care, dignity and purpose. She said that true consent cannot be obtained through the misrepresentation that her family experienced, and so many other families experienced. She implored the members of the task force to work toward regulation and oversight of this industry.

- **TRACY SMOLKA**

Ms. Smolka engaged with the task force on October 5 and represented her father, Randolph Wright, who died in 2010 of ALS. His body was donated to Biological Resource Center of Illinois to fulfill his wishes that his body be studied for the benefit of scientific research to help find a cure for ALS.

The family received what they believe to be his full cremated remains, only to later find out that parts of his body including his head and torso ended up in a warehouse in Michigan. She learned in January 2015 of the Federal Bureau of Investigation's raid of the facility where he was donated, but did not receive confirmation that he was involved until January of 2018.

Ms. Smolka spoke to the deceptive practices of some organizations and encouraged stronger regulation in identification of whole-body donors to ensure that families receive accurate and complete cremated remains after use.

- **CARRIE BURR**

Representative Brady read a statement at the August 24 meeting on behalf of Ms. Burr. She represented her husband Russell, who died on March 29, 2012. They shared with each other their intentions to be organ donors and Biological Resource Center of Illinois offered the opportunity for whole-body donation as a way to fulfill his wishes.

They understood that after research had been completed, she would receive his full cremated remains in return. It seemed too good to be true and it was.

ANATOMICAL GIFT ASSOCIATION OF IL - PRESENTATION

On October 5, the members heard testimony from Bill O'Connor, Executive Vice President of the Anatomical Gift Association of Illinois, on the best practices that their organization utilizes throughout the process of donation and the transfer of custody. The PowerPoint presentation may be located in Appendix A. Details of the dialogue that occurred in this meeting may be located in the minutes for October 5. Specific questions were asked on the following topics:

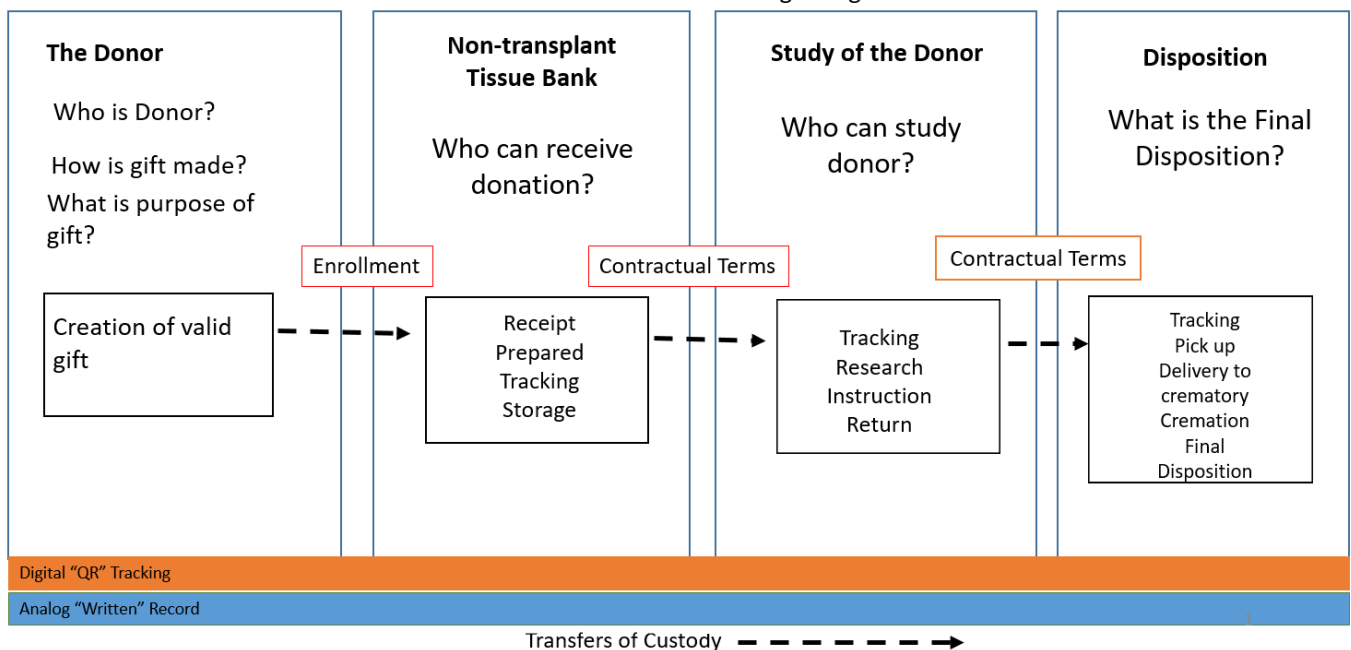
- The ID and QR code process of identification for cadavers.
- Volume of whole-body donations they receive annually.
- Which universities have representation on their Board of Directors.
- How many problems they experience annually with donations and what protocols are in place if a donation cannot be utilized.
- Considerations for a universal donor form.
- What protocols are in place if a donor family cannot be located.
- How the AGAI handles separation of body parts.
- If donors are able to designate specific areas of study they want to be utilized for.

OVERVIEW: WHOLE BODY DONATION PROCESS

CONTROLLING LAW: ILLINOIS ANATOMICAL GIFT ACT

PURPOSE: Encourage anatomical gifts for therapy, research & education

The Act intended to consolidate laws regarding tissue donation



BASIC ASSESSMENT AND RECOMMENDATIONS

The task force was required to review best practices for the regulation of non-transplant organizations, including application and licensing standards, the process of obtaining consent, the identification and labeling of bodies and body parts, proper end-use, state regulation and sanctions, and a commitment to bringing increased transparency and dignity to next of kin.

In addition to researching the industry, the task force was charged with evaluating and recommending an area of state government most appropriate for licensing and regulation of non-transplant organizations and recommending legislation to enact these findings.

- **APPLICATION AND LICENSING STANDARDS**

The members agree with Bill O'Connor, Executive Vice President of the Anatomical Gift Association of Illinois, as he noted in testimony to the task force that the controlling law for non-transplant organizations is the Illinois Anatomical Gift Act (755 ILCS 50), passed in 2005 and amended in 2008. This was a product of the National Conference of Commissioners on Uniform State Laws, which recommended that the uniform law be passed in all states.

The members agree that compliance with the Illinois Anatomical Gift Act and other state laws is an important standard to which organizations that accept whole body and body part donations must adhere. The requisites of this act must be met before a non-transplant organization attempts to receive any human materials for any purpose.

Any organization licensed in the State of Illinois should follow rigorous standards, similar to the chain of custody set forth by the Anatomical Gift Association of Illinois or the accreditation standards for non-transplant anatomical donation organizations set forth by the American Association of Tissue Banks (AATB).¹ Licensing fees may be necessary, but should not be so costly if passed along to medical schools or other institutions of study. A fee in the range of \$2500 per year was accepted as appropriate, while fees in the range of \$10,000 or \$20,000 were considered to be too high.

- **BEST PRACTICES REGARDING CONSENT**

The members reviewed the “donor enrollment form” and “authority to cremate form,” both located as Appendix B and C, which are utilized by the Anatomical Gift Association of Illinois. They recognized that efforts need to be made for donors or responsible individuals to be better educated on the topic of whole-body donation and better informed as to the commitment that they are making.

¹ American Association of Tissue Banks. (2022). *Non-transplant anatomical donation*. <https://www.aatb.org/nados>

Therefore, the members supported a “universal donor form” that should be utilized by all non-transplant organizations in Illinois. This important process of establishing intent and connecting donors to the institution who will receive their remains must be authenticated in a clear and transparent manner. The following should be included in the universal donor form:

- Explanation of how the remains would be returned after cremation.
- The “arranger” needs to be documented – the person who is talking with the family.
- Who the family should call if they have questions or problems.

The members would also prefer that all material facts related to how and where the body may be used be disclosed to the donor, family or responsible party authorizing the donation. In the event that a specific use is not possible, then options could be offered in return to the family, which would require their consent. They expressed concern that the universal donor form should be written in simple, easily understood language and contain information necessary for an informed decision by the donor, family or other responsible party.

- **IDENTIFICATION AND LABELING OF BODIES AND BODY PARTS**

The members agreed that whole-body donations and body parts should be physically identified by use of an ID tag and a barcode that may both be affixed to a body. These tags should be linked to a secure and backed up database containing all information pertinent to the donor, including name, date of death, cause of death, funeral director, ultimate recipients of cremated remains, medical records and any notes available.

These tags should be electronically scanned, and manually backed up with the analog process, in every transaction including preparations to the body, delivery to institution of study, return to the non-transplant organization, delivery for cremation and establishing final contact with the family.

- **PROPER END-USE**

The members expressed concern that any legislative action should be crafted to prevent the circumstances that family members testified to and that the General Assembly should not hesitate to enact safeguards covering the entire donation process – from the documentation of the donation to the ultimate return of the ashes.

- **STATE REGULATION AND SANCTIONS**

The members noted that some of the chargeable offenses already listed in statute, for instance the Cadaver Act (410 ILCS 510), quite often only list a Class A Misdemeanor for the penalty, which would usually amount to a fine. Members shared concerns that current statutes, which carry higher penalties in the Illinois Criminal Code, may have been underutilized due to the unregulated aspect of the industry.

Recognizing that existing penalties for the offenses described by the victim families may have been insufficient, the members expressed support for a separate assessment of the adequacy and appropriateness of punishment for such offenses. Both the task force and the impacted families support Illinois prosecutors taking a more active role in cases of this nature and seeking justice for impacted families.

- **TRANSPARENCY AND DIGNITY TO NEXT OF KIN**

The members favor a registration process, which would include a “universal donation and consent form” that clearly establishes intent and authenticates the process. Additionally, the form should include links to websites that provide donors with the following information:

- Answers to frequently asked questions, including specific details that describe the act of whole-body donation and why someone may consider it.
- Verification that a specific entity is recognized by state law.
- A person to contact if they perceive a problem.
- The “universal consent form” may include a registration number that is assigned to a particular organization, indicating that they have registered with the State of Illinois

It is recommended that a person to contact if a family perceives a problem should be a specific person at the Secretary of State’s Office or the Illinois Attorney General’s Office. This point of contact should also be included in the “universal consent form” so that families have a clear understanding of who to turn to. Furthermore, by utilizing the process laid out by the AGA, the State of Illinois can ensure that donors and next of kin are treated with transparency and dignity.

- **AREA OF STATE GOVERNMENT MOST APPROPRIATE FOR REGULATION AND LICENSING**

Legislation in Nevada and Oregon, located in Appendix D and E, gives extensive rulemaking authority in this area to their respective Public Health Departments. The members believe that

the Illinois Department of Public Health (IDPH) could perform these tasks in our state. IDPH registers tissue banks currently² and could extend those services to include non-transplant anatomical donation organizations with additional state funding for staffing resources. The Administrative Rules that are currently in place for IDPH would also need to be expanded to include non-transplant organ donation in order for the registration process to accommodate these organizations (see §470.10).

It is noted that registration is a process that would capture information for an organization, which may include accreditation status, may involve the assignment of a registration number and may carry the penalty of a monetary fine if not completed on an annual basis. Licensing or registration by IDPH is a more resource-intensive process that would require further discussions and considerations, including additional state funding. If IDPH prefers to outsource this function, by utilizing current State of Illinois procurement procedures, they could issue a Request for Proposal (RFP) for a group to license organizations, as long as they comply with state law.

FINAL RECOMMENDATION

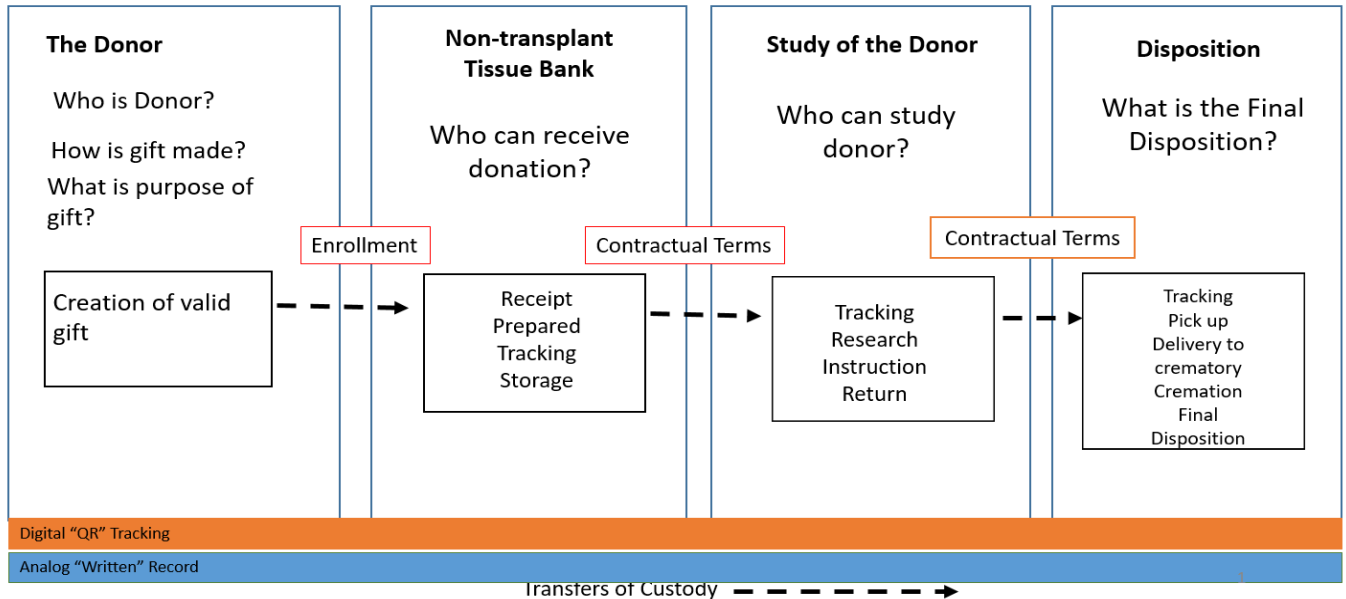
The findings in this report represent a substantial investment of time and energy on behalf of all of the members of the Organ Donor Task Force. Without question, these recommendations would not be possible without the invaluable input from victim families who have been willing to engage and repeatedly share their stories and the trauma that has personally impacted their lives. We cannot undo the damage that countless families have experienced due to the lack of regulation, but we can learn how to implement measures for families moving forward so that they may never have to experience these atrocities again.

Under Secretary White's leadership, the Secretary of State's Office has been a champion and proponent of encouraging the citizens in Illinois to consider offering the life-saving gift of organ/tissue donation. The Secretary of State's Office appreciates the opportunity to have been a part of this Task Force and the work needed to restore integrity to an industry that offers immeasurable benefits to the medical community.

It is the intention of the members and the parties who helped craft the basic assessment and recommendations, to aggressively pursue legislation in 2022 to bring about meaningful and lasting change to an industry dedicated to the scientific study, research and training that is essential to medical education and research in Illinois and that makes whole body and body parts donation possible.

² Sperm Bank and Tissue Bank Code, 77 Ill. Admin. Code Part 470 (1987):
<https://www.ilga.gov/commission/jcar/admincode/077/07700470sections.html>

OVERVIEW: WHOLE BODY DONATION PROCESS
 CONTROLLING LAW: ILLINOIS ANATOMICAL GIFT ACT
 PURPOSE: Encourage anatomical gifts for therapy, research & education
 The Act intended to consolidate laws regarding tissue donation



The Donor Direct Law

Individual prior to death or responsible party after death prepares and signs Document of Gift committing remains to medical and scientific study.

Who is Donor?

- Person whose body is subject of anatomical gift
- Agent, parent or guardian
- By priority
- Person authorized or obligated to dispose of body, e.g., Coroner under the Counties Code or public official under the Cadaver Act

How is gift made? §1-10; §5-20

- Document of Gift
 - Donor Card
 - Other record signed by Donor
 - Registry
 - Statement on Drivers License
 - Verbal communication reduced to record

What is purpose of gift?

- Research
- Education
- Transplant

If no gift under Act:

- Then no part of decedent's body may be used of any purpose specified in the Act

The Donor

Indirect regulation

- Funeral Directors and Embalmers Licensing Code
- Internal Controls (Protocols) of the Anatomical Gift Association
- Best practices as determined by associations like the American Association for Anatomy
- The AGA Board of Directors through corporate resolutions

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The Donor

Effect of these requirements

- Informed and voluntary consent by Donor
- The form and purpose of the gift authorizes the use of the remains for the purposes defined in the Act.
- Only trained funeral directors are engaged in activity permitted by law
- Best practices in internal operations are observed and constantly refined
- The leading anatomists of the state make policy through the Board of Directors
- Policy makers act consistent with national best practices
- Privacy of family and decedent is protected
- HIPAA rights are respected

4

Non-transplant Tissue Bank
Receipt, Preparation and Use

Non-transplant tissue bank
receives remains, reviews
acceptability and prepares them
for study

Direct Law

- Who may receive a Decedent? IAGA §5-12
 - The following entities (Donee) may receive human remains for research and education only:
 - Hospitals
 - Accredited Medical and Dental Schools
 - Colleges and Universities
 - Non-Transplant Anatomic Banks accredited by the American Association of Tissue Banks
 - An entity that operates under the auspices of a college or university
- Donee may:
 - determine sufficiency of Document of Gift and other documents (If not made under Act, gift may not be accepted or used for any purpose, including research and education- IAGA 5-5(a); 5-12(j))
 - accept or reject gift based both on physical condition and documentation
 - embalm by licensed funeral
 - examine medical and dental records
 - attach identifiers
 - transport in accordance with Cemetery Regulation Act
 - maintain sufficient equipment and supplies
- Contract (Document of Gift) between Donor and Non-transplant Tissue Bank
- Observe specific statutes and regulations that apply to deceased human bodies

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Non-transplant Tissue
Bank
Receipt, Preparation and
Use.

Indirect Regulation

- Funeral Directors & Embalmers Licensing Code
- Coroner's Code
- Laws re transportation and disposition
- AGA Internal Protocols and Tracking

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Non-transplant Tissue Bank Receipt, Preparation and Use

Effect of Regulation

- All embalming and related activity is conducted by licensed funeral directors
- Laws impacting the donation process outside of the Illinois Anatomical Gift Act are observed (OSHA, Department of Public Health Act, 20 ILCS §7 (labelling), Embalming Fluid Act, 225 ILCS §5)
- Transport to higher learning facility is properly documented and packaged
- Best practices derived from national sources and as contained in AGA protocols is implemented in the process

7

Study of the Decedent at Educational or Research Institution

Institution notifies Non-transplant Tissue Bank that delivers requested human specimens

- All law and regulation that applies to Non-transplant Tissue Bank applies to educational or research institution
- Internal Governance (Dean)
- Internal Procedures
- Lab Manager
- Regulating entities (OSHA)
- Contract between Non-transplant Tissue Bank and educational or research institution

8

Study of the Donor Educational or Research Institution

Indirect Regulation

- Licensing & Accreditation of University or College
- Student Concerns
- Best practices
 - University
 - National Organizations

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Study of the Donor Educational or research institution

Effect of the Requirements

- Access to material acquired ethically, legally
- Educational regulators have impact on process
- Peer Review of practices related to anatomy (Accreditation)
- Input of present and future stakeholders
- Best practices from a national perspective

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Disposition

How does final disposition occur?

Non-transplant Tissue Bank picks up remains from teaching/research institution and delivers them to crematory. After cremation, cremains delivered or picked up from crematory. Identity of cremains are verified by Non-transplant Tissue Bank and delivered or sent to designated party.

Direct

Anatomical Gift Act

- Non-transplant Tissue Bank is authorized to cremate under the Act
- Non-transplant Tissue Bank may accept reasonable reimbursements for transportation and disposal of human body that constitutes an anatomical gift
- Crematories and cemeteries are required to have procedures to identify remains

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Disposition

Indirect

Crematory Regulation Act

- AGA can deal only with licensed and compliant crematory
- No cremation without appropriate documentation
- Crematory cannot accept leaking casket or alternative container
- Prohibition on more than one set of remains in a container
- Requirement that all cremains are delivered
- Crematory will not misrepresent contents of urn
- Crematory must maintain system of identification of all remains
- Crematory must deliver all ashes and not co-mingle ashes of more than one person
- Upon delivery of cremains, person receiving must be provided with signed receipt

Cemetery Oversight Act

- Ensure Licensure of Cemetery Manager, Cemetery Authority and Customer Service Manager

Cemetery Care Act

- AGA can deal only with licensed cemeteries
- Cemetery must keep track of every inurnment

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Disposition

Effect of these requirements

- Timely and predictable return
- Identity of cremains verified
- Preservation of chain of custody
- Public health considerations observed
- Crematories and cemeteries reliably identify remains

13

Case Law

The Illinois courts have protected the rights of donors and their families by upholding damage awards under various tort and contract causes of action.

- In *Palenzke v. Bruning*, the court affirmed that family members could recover for damages for mental suffering caused by the utilization of a deceased child's corpse. 98 Ill. App. 644 (1 Dist. 1900)
- In *Von Seggren v. Smith*, the court affirmed a damage award for breach of contract against a funeral home that had delivered the wrong cremains to the family. 151 Ill. App. 3d 813 (2d Dist. 1987)
- *Rekosh v. Parks* held that family members could recover for intentional infliction of mental distress for an illegal cremation. It also held that the Crematory Regulation Act provides a private right of action for damages. It further held however that the Funeral Directors and Embalmers Licensing Code does not imply a private right of action. 316 Ill. App. 3d 58 (2d Dist. 2000)
- In *Cochran v. Securitas Security Services USA, Inc.*, the Illinois Supreme Court held that for more than a century interference with a family member's right to possess the remains of family members "is an actionable wrong and that the plaintiff in such cases is entitled to recover damages for mental suffering." 2017 IL 121200 (2017)

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Donor Enrollment Form

Anatomical Gift Association of Illinois

1540 South Ashland Ave., Suite 104 • Chicago, IL 60608 • Phone: 312-733-5283 • Fax: 312-733-5079
 info@agaillinois.org • www.agaillinois.org

NAME OF DONOR – PLEASE PRINT OR TYPE	X X X – X X –
	SOCIAL SECURITY NUMBER (last four digits only)
Street Address	
City, State, ZIP Code	Telephone

Being of sound mind and disposition I do hereby stipulate that the remains of the above named, upon death, be used in whatever manner deemed necessary and appropriate by the Anatomical Gift Association of Illinois (AGA). I understand that such use may involve display of anatomical structures for educational, research, and training purposes.

I understand that the next-of-kin, executor or other responsible individual must arrange to have the unembalmed remains transferred to the AGA by a licensed funeral director immediately after death. The expense of the transportation, death certificate, and cremation permit, as set by a funeral home, is the responsibility of the donor’s family or estate. I also understand that the AGA reserves the right to decline the gift if, in its opinion, the gift is not suitable for donation for any reason. In the event of refusal of remains, I understand that the next-of-kin, executor or other responsible individual assumes responsibility for making alternative arrangements.

The AGA will receive, prepare, preserve and distribute the remains. I authorize the release of medical information concerning the donor to the extent it is known. I am aware that donations may be used for two years or more and that no formal report or results from study will be released. I hereby certify that no other relative or party in interest has objected to this donation. I understand that my body, and the tissues derived thereof, will be treated with dignity, sensitivity and care. I further understand that at any time prior to death one may revoke intended donation by written communication to the AGA. I acknowledge that in reviewing and signing this document I have had the opportunity to review it with someone I trust.

Signature of Donor or Responsible Individual	Date
--	------

Please select ONE option below to determine the final disposition of the intended donation:

- 1. Return Ashes - I request that ashes be returned to the address specified below at the expense of the AGA. Cremation shall occur upon conclusion of service, which may be two years or more. Please return ashes to:
 _____, whose address is, _____
 _____ and phone, _____.
- 2. No Ashes - Ashes will **NOT** be returned and will be interred in accordance with the laws of Illinois.
- 3. Perpetual Donation - Part or all of my body may be retained or permanently preserved for teaching and related purposes. I understand that part or all of my remains may be cremated and any ashes will **NOT** be returned. The AGA will provide no information on final disposition.

FIRST WITNESS –Name and relationship to donor (Please print):	SECOND WITNESS –Name and relationship to donor (Please print):
Street Address:	Street Address:
City, State, and ZIP Code:	City, State, and ZIP Code:
Telephone:	Telephone:
Signature and Date:	Signature and Date:

Please retain a copy of the signed form for your records and keep us informed of your address and phone number in the event that you move.
Please inform your loved ones' of your decision to donate so they can honor your wishes.

Anatomical Gift Association of Illinois

1540 South Ashland Ave., Suite 104 • Chicago, IL 60608 • Phone: 312-733-5283 • Fax: 312-733-5079
info@agaillinois.org • www.agaillinois.org

AUTHORITY TO CREMATE – HOLD HARMLESS – DISPOSITION OF ASHES

The undersigned hereby authorizes the Anatomical Gift Association of Illinois (AGA) and its agents to receive, prepare, preserve, distribute and cremate the remains

of: _____
Donor

I certify I have the legal right to make such an authorization. I understand that the next-of-kin, executor or other responsible individual must arrange to have the unembalmed remains transferred to the AGA by a licensed funeral director at his, her, its or the estate's expense. I also understand that the AGA reserves the right to decline the gift if, in its opinion, the gift is not suitable for donation for any reason. In the event of refusal of remains, I understand that the next-of-kin, executor or other responsible individual assumes responsibility for making alternative arrangements.

DISPOSITION OF CREMATED REMAINS: The AGA will return cremated remains to next of-kin or other party, if desired, free of additional cost. If the cremated remains are requested to be sent to a funeral home, arrangements must be made separately with the funeral home. Please choose one option below to indicate the desired final disposition of cremated remains:

- Ashes need **NOT** be returned. The final resting place of ashes shall be determined and respectfully undertaken by the AGA, at the expense of the AGA, in accordance with the laws of the State of Illinois. This includes Perpetual Donation.
- Ashes should be returned to the individual/entity set forth immediately below, prepaid by the AGA, via U.S. Mail. I am aware that ashes may not be returned for two years or more.

Name of Recipient of Ashes

Street Address

City, State, Zip Code

Phone Number

I understand that the AGA has no obligation to return any pacemaker, radiation producing device, or implants, including without limitation, any prosthetics or prosthetic devices. I agree to hold AGA and its agents or assigns harmless from liability, claim or cause of action concerning said authorization, cremation, shipment, personal possessions and disposition of remains, or arising out of any decision indicated by this authorization which may result in mental or physical distress or anguish or harm or financial loss to myself or to others, including the act of identification or failure to identify the body. I acknowledge that in reviewing and signing this document I have had the opportunity to review it with an attorney of my choice, a family member or other person of trust. If not signing as Donor, I hereby represent that am legally authorized and charged with the responsibility for disposition of the Donor's remains after cremation.

SIGNATURE Donor/Next-of-Kin / Executor/Responsible Individual

Name - Please Print

Address

City, State, ZIP Code

Phone Number

Relationship Date

October 9, 2015

Nev. Rev. Stat. § 451.587

Current through 81st (2021) Legislative Session Chapters 1-557 and 33rd (2021) Legislative Special Session Chapters 1 and 2

Section 451.587 - Standards and guidelines for nontransplant anatomical donation organizations

1. Each nontransplant anatomical donation organization that procures a human body or part in this State shall:

(a) Be certified by the Division;

(b) Follow the standards and guidelines established by the State Board of Health pursuant to subsection 2; and

(c) Report to the Division, in a manner and frequency prescribed by the State Board of Health, the number and disposition of human bodies or parts procured by the nontransplant anatomical donation organization.

2. The State Board of Health shall:

(a) Adopt regulations that establish standards and guidelines for nontransplant anatomical donation organizations which must be substantially based upon federal laws and regulations relating to the procurement of human bodies and parts, this section and NRS 451.500 to 451.598, inclusive, and the best standards and practices in the industry; and

(b) Adopt any regulations necessary to carry out the provisions of this section, including, without limitation, regulations that establish a fee for an application for the issuance or renewal of a certification as a nontransplant anatomical donation organization.

3. Before adopting or amending any regulation pursuant to subsection 2, the State Board of Health shall seek input from each procurement organization and nontransplant anatomical donation organization in this State.

4. The Division shall:

(a) Collect and analyze information from each nontransplant anatomical donation organization in this State on the number and disposition of human bodies and parts procured by the nontransplant anatomical donation organization and make such information available to the Governor and the Legislature upon request; and

(b) Monitor all nontransplant anatomical donation organizations in this State for compliance with federal and state laws and regulations.

5. A person who engages in the activity of a nontransplant anatomical donation organization without being certified by the Division pursuant to this section or who violates the standards and guidelines adopted by the State Board of Health pursuant to subsection 2 is guilty of a category C felony and shall be punished as provided in NRS 193.130, or by a fine of not more than \$50,000, or by both fine and the punishment provided in NRS 193.130.

6. As used in this section:

(a) "Division" means the Division of Public and Behavioral Health of the Department of Health and Human Services.

(b) "Nontransplant anatomical donation organization" means a person who engages in the recovery, screening, testing, processing, storage or distribution of human bodies or parts for a purpose other than transplantation, including, without limitation, education, research or the advancement of medical, dental or mortuary science.

NRS 451.587

Added to NRS by 2019, 2765 [Ch. 438]

Added by 2019, Ch. 438, §1, eff. 7/1/2019.

Or. Rev. Stat. § 438.710

Current through 2021 2nd Special Session

Section 438.710 - Licensure of nontransplant anatomical research recovery organizations; rules; fees

- (1) A person may not act as a nontransplant anatomical research recovery organization unless the person is licensed as a nontransplant anatomical research recovery organization by the Oregon Health Authority.
- (2) The authority shall adopt rules establishing an application process and fees for obtaining and renewing a nontransplant anatomical research recovery organization license. The fee for obtaining or renewing a license under this subsection may not exceed \$1,750.
- (3) A license issued or renewed under this section expires two years after the date of issuance or renewal.
- (4) The license required by this section is in addition to and not in lieu of any other license required by law.
- (5) The authority shall deposit fees collected under this section into the Oregon Health Authority Fund established in ORS 413.101. Moneys deposited in the fund under this subsection are continuously appropriated to the authority for the purposes of carrying out the duties, functions and powers of the authority under ORS 438.705 to 438.720 and 438.994.

ORS 438.710

2013 c. 356, § 2

Or. Admin. R. 333-081-0000 - Purpose

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

The purpose of these rules is to establish standards for licensure of Nontransplant Anatomical Research Recovery Organizations.

Notes

Or. Admin. R. 333-081-0000
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0005 - Definitions

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

As used in OAR 333-081-0000 through 333-081-0090 the following definitions apply:

- (1) "Accrediting body" means an entity that is approved by the Public Health Division and meets the requirements of Oregon Laws 2013, chapter 356, section 4(2).
- (2) "Anatomical material" has the meaning given that term in Oregon Laws 2013, chapter 356, section 1(1).
- (3) "Division" means the Public Health Division of the Oregon Health Authority.
- (4) "Donor" has the meaning given that term in ORS 97.953.
- (5) "Human Remains" has the meaning given that term in ORS 97.010.
- (6) "Nontransplant anatomical research recovery organization" or "NARRO" has the meaning given that term in Oregon Laws 2013, chapter 356, section 1(3) and is defined as follows:
 - (a) A NARRO means a person that engages in the recovery or distribution of anatomical material from a donor for research or education purposes other than transplanting the anatomical material or therapy.
 - (b) A NARRO does not include:
 - (A) A hospital or other health care facility as those terms are defined in ORS 442.015;
 - (B) A public corporation as defined in ORS 353.010;
 - (C) A public or private institution of higher education; or
 - (D) A clinical laboratory, as defined in ORS 438.010, that is:
 - (i) Licensed under ORS 438.010 to 438.510; and
 - (ii) Owned or controlled by, or under common ownership with, a hospital described in paragraph (A) of this subsection.
- (7) "Survey" means an inspection of the premises or records of either an applicant for licensure as a NARRO or of a licensed NARRO in order to determine the extent to which that entity is in compliance with Oregon Laws 2013, chapter 356, sections 2 and 3 and these rules.

Notes

Or. Admin. R. 333-081-0005
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0010 - Application for Licensure

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) Persons meeting the definition of a NARRO as set out in Oregon Laws 2013, chapter 356, section 1(3) and OAR 333-081-0005(5) may not act as a NARRO or hold themselves out as a NARRO unless licensed as such by the Division.
- (2) An applicant wishing to apply for a license to operate a NARRO shall submit an application on the most current form prescribed by the Division and pay the application fee specified in OAR 333-081-0035.
- (3) An applicant that has obtained accreditation from an accrediting body approved by the Division shall provide proof of accreditation to the Division with its license application and shall include:
 - (a) All of the approved accrediting body survey and inspection reports; and
 - (b) Written evidence of all corrective actions underway or completed in response to the approved accrediting body recommendations including progress reports.
- (4) If any of the information delineated in a NARRO's most recent application changes at a time other than the annual renewal date, it must submit a revised application to the Division within 30 calendar days of the change.
- (5) Notwithstanding section (4) of this rule, a NARRO must submit a revised application to the Division 30 calendar days prior to any of the following changes:
 - (a) Change in ownership or management, acquisition by or of, or merger with another NARRO;
 - (b) Change in facilities because of expansion, relocation, renovations or structural changes that affect NARRO operations; and
 - (c) Change in the scope of operations of the NARRO.
- (6) In order to allow the Division to determine whether any of the changes reported in accordance with section (4) or (5) of this rule may affect NARRO compliance with NARRO licensing laws and rules, the Division may request NARRO documents, records or other materials for review or it may conduct an on-site inspection.
- (7) If a NARRO loses accreditation, it shall immediately notify the Division and surrender its license in accordance with OAR 333-081-0045.

Notes

Or. Admin. R. 333-081-0010
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0015 - Review of License Application

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) Following receipt of a completed application and the required fee, the Division must conduct a survey in accordance with OAR 333-081-0050 to determine whether the NARRO is in compliance with Oregon Laws 2013, chapter 356, sections 2 and 3 and these rules.
- (2) In lieu of conducting a survey, the Division may accept proof of accreditation by an accrediting body approved by the Division.

Notes

Or. Admin. R. 333-081-0015
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0020 - Approval of License Application

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) The Division must notify an applicant in writing if a license application is approved and must include a copy of the license.
- (2) The Division will issue a license only for the premises and person(s) named in the application and it may not be transferred or assigned.
- (3) A licensed NARRO must post the license in a conspicuous location where it is viewable by the public.

Notes

Or. Admin. R. 333-081-0020
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0025 - Denial of License Application

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

If the Division intends to deny a license application, it shall issue a Notice of Proposed Denial of License Application in accordance with ORS 183.411 through 183.470.

Notes

Or. Admin. R. 333-081-0025
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0030 - Expiration and Renewal of License

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) An initial or renewed license expires two years after the date of issuance or renewal.
- (2) If the ownership of a NARRO changes, a new license is required.
- (3) If renewal or a new license is sought because of a change of ownership, the licensee shall make application at least 45 days prior to the change of ownership using a form prescribed by the Division.

Notes

Or. Admin. R. 333-081-0030
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0035 - Fees

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) The fee for an initial or renewed NARRO license is \$1,750.
- (2) All application fees are non-refundable.

Notes

Or. Admin. R. 333-081-0035
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0040 - Denial, Suspension or Revocation of License

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) A license for a NARRO may be denied, suspended or revoked by the Division if a licensed NARRO has failed to comply with Oregon Laws 2013, chapter 356, sections 2 and 3, OAR 333-081-0080 or for violations of laws, regulations or administrative rules that governs how it obtains, processes and distributes donor material.
- (2) If the Division intends to suspend or revoke a NARRO license, it shall do so in accordance with ORS 183.411 through 183.470.

Notes

Or. Admin. R. 333-081-0040
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0045 - Return of License

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

Each license certificate in the licensee's possession shall be returned to the Division immediately upon the suspension or revocation of the license, failure to renew the license by the date of expiration, loss of accreditation or if operation is discontinued by the voluntary action of the licensee.

Notes

Or. Admin. R. 333-081-0045
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0050 - Surveys

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) The Division must, in addition to any investigations conducted pursuant to OAR 333-081-0065, conduct at least one survey of each NARRO prior to licensure and once every two years thereafter as a requirement of licensing and at such other times as the Division deems necessary.
- (2) In lieu of an on-site inspection required by section (1) of this rule, the Division may accept proof of accreditation by an accrediting body approved by the Division if the NARRO:
 - (a) Gives the Division sufficient advance notice to allow the Division to participate in any exit interviews conducted by the accrediting body; and
 - (b) Provides the Division with copies of all documentation concerning the accreditation that it requests.
- (3) A NARRO must permit Division staff access to its premises during a survey.
- (4) A survey may include, but is not limited to:
 - (a) Interviews of NARRO management and staff;
 - (b) On-site observations of the NARRO premises, staff performance and activities; and
 - (c) Review of documents, records and other materials required to be kept by OAR 333-081-0070.
- (5) A NARRO shall make all requested documents and records available to the surveyor for review and copying.
- (6) Following a survey, Division staff may conduct an exit conference with a NARRO agency owner, administrator, or designee. During an exit conference, Division staff must:
 - (a) Inform the NARRO owner, administrator or designee of the preliminary findings of the inspection; and
 - (b) Give the owner, administrator or designee a reasonable opportunity to submit additional facts or other information to the surveyor in response to those findings.
- (7) Following a survey, Division staff must prepare and provide the NARRO owner or administrator specific and timely written notice of the findings.
- (8) If no deficiencies are found during a survey, the Division must issue written findings to the NARRO owner or administrator indicating that fact.
- (9) Upon conclusion of a survey the Division must, upon request, publicly release the written documents described in sections (7) and (8) of this rule in accordance with the Oregon Public Records Act.
- (10) If deficiencies are found, the Division must take informal or formal enforcement action in accordance with OAR 333-081-0085 and 333-081-0090.

Notes

Or. Admin. R. 333-081-0050
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0055 - Approval of Accrediting Bodies

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) If the Division finds that an accrediting body has the necessary qualifications to certify that state licensing standards have been met, the Division will accept accreditation from the accrediting body in accordance with the requirements of OAR 333-081-0050(2).
- (2) In order to allow the Division to make the finding set forth in section (1) of this rule, the accrediting body must request approval in writing using the most recent approval form provided by the Division and shall provide, at a minimum:
 - (a) Documentation of program policies and procedures that show that its accreditation process at least meets the requirements set out in Oregon Laws 2013, chapter 356, section 4(2) and these rules;
 - (b) Documentation evidencing that the accrediting body has the resources and expertise to successfully carry out the accreditation process; and
 - (c) An attestation that it, or any of its owners or employees, does not have a direct or indirect financial interest in any of the NARROs that it seeks to accredit.

Notes

Or. Admin. R. 333-081-0055
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0060 - Complaints

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) Any person may make a complaint to the Division regarding an allegation as to violations of Oregon Laws 2013, chapter 356, sections 2 and 3 or these rules.
- (2) Upon conclusion of an investigation, the Division shall, upon request, publicly release a report of its findings in accordance with the Oregon Public Records Act. The Division may use any information obtained during an investigation in an administrative or judicial proceeding concerning the licensing of a NARRO.
- (3) If a complaint involves an allegation of criminal conduct or an allegation that is within the jurisdiction of another local, state, or federal agency, the Division shall refer the matter to that agency.

Notes

Or. Admin. R. 333-081-0060
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0065 - Investigations

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) As soon as practicable after receiving a complaint, taking into consideration the nature of the complaint, Division staff must begin an investigation.
- (2) An investigation may include but is not limited to:
 - (a) Interviews of the complainant, persons identified by the complainant as having knowledge of the facts alleged in the complaint, NARRO management and staff, and other persons having knowledge of the practices of the NARRO; and
 - (b) On-site observations of staff performance and of the physical environment of the NARRO facility; and
 - (c) Review of documents, records and other materials.
- (3) A NARRO must permit Division staff access to its premises during an investigation.

Notes

Or. Admin. R. 333-081-0065
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0070 - Records

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) A NARRO must keep and maintain a legible, reproducible record of each donor from whom it obtains anatomical material. This record must include at least the following:
- (a) Documentation showing that the donor donated the anatomical material for the purpose of research or education. However, if the decision to donate is made after the donor's death, documentation that the donation was made by a person authorized to make an anatomical gift under the process set out in ORS 97.965 and that this person donated the anatomical material for the purpose of research or education is required;
 - (b) The name, address and phone number of each person that had possession of the donor's anatomical material before the organization took possession of the anatomical material;
 - (c) Documentation of the disposition of the donor's anatomical material by the NARRO, including the name, address and phone number of each person to whom it provides anatomical material from the donor; and
 - (d) A copy of the disclosure given to a relative or personal representative of the donor if any anatomical material is returned to them as required by OAR 333-081-0075(2).
- (2) The NARRO must keep and maintain a legible, reproducible record of the notice required by Oregon Laws 2013, chapter 356, section 3(4) and OAR 333-081-0075 and provided to each individual from whom the NARRO agrees to accept an offer of the donation of anatomical material. If an offer of anatomical material is not subsequently rescinded or rejected, this record must be included in the donor record for each individual.
- (3) The records required by sections (1) and (2) of this rule must be kept and maintained by the NARRO for a minimum of 10 years from the date that the NARRO takes possession of the donor's anatomical material and shall be kept and maintained in the following manner:
- (a) It must be kept in a manner that renders it easily and completely retrievable;
 - (b) Reasonable precautions must be taken to protect the record from unauthorized access and from destruction including, but not limited to, fire, water, and theft;
 - (c) Authorized employees of the Division must be permitted to review the records upon request;
 - (d) If a NARRO changes ownership, all records must remain with the successor NARRO and it shall be the responsibility of the new owner to protect and maintain these records; and
 - (e) Before a NARRO terminates its business, it must notify the Division where the records will be stored and, if the location changes, those responsible must notify the Division of each successive location.

Notes

Or. Admin. R. 333-081-0070
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0075 - Notice

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) As required by Oregon Laws 2013, chapter 356, section 3(4), when a NARRO accepts an offer from an individual to donate anatomical material it must provide that individual notice that clearly explains:
- (a) How the NARRO intends to dispose of the anatomical material if donated, and whether and how any anatomical material may be returned;
 - (b) Whether or not the NARRO guarantees the coverage of costs related to transporting and disposing of the anatomical material and, if all costs will not be covered, what costs will be the responsibility of the individual making the donation; and
 - (c) What costs will be covered by the NARRO and what costs will be the responsibility of the individual making the donation if the individual or relative or personal representative subsequently rescinds, or the NARRO later rejects, the offer of anatomical material.
- (2) If a NARRO returns any anatomical material to a relative or personal representative of a donor, the NARRO must provide that person with a notice that discloses whether all or part of the donor's body is being returned.
- (3) The notice required by sections (1) and (2) of this rule must be in writing and be printed in at least 14-point type.

Notes

Or. Admin. R. 333-081-0075
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0080 - NARRO Duties

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

In addition to the requirements set out in these rules, a NARRO shall dispose of any anatomical material not returned to a relative or personal representative of the donor in accordance with all laws pertaining to the disposition of human remains. This requirement does not apply to anatomical material that the NARRO has recovered or distributed for research or educational purposes.

Notes

Or. Admin. R. 333-081-0080
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0085 - Informal Enforcement

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) If during an investigation or survey Division staff document violations of NARRO licensing rules or laws, the Division may issue a statement of deficiencies that cites the law or rule alleged to have been violated and the facts supporting the allegation.
- (2) Upon receipt of a statement of deficiencies, a NARRO shall be provided an opportunity to dispute the Division's survey findings but must still comply with sections (3) and (4) of this rule. The following conditions apply:
 - (a) If a NARRO desires an informal conference to dispute the Division's survey findings, the NARRO must submit a request in writing to the Division within 10 business days after receipt of the statement of deficiencies. The written request must include a detailed explanation of why the NARRO believes the statement of deficiencies is incorrect;
 - (b) A NARRO may not seek a delay of any enforcement action against it on the grounds the informal dispute resolution has not been completed; and
 - (c) If a NARRO is successful in demonstrating some or all of the deficiencies should not have been cited, the Division must withdraw or reissue the statement of deficiencies, removing such deficiencies and rescinding or modifying any remedies issued for such deficiencies. A reissued statement of deficiencies must include a statement that it supersedes the previous statement of deficiencies and shall clearly identify the date of the superseded statement of deficiencies.
- (3) A signed plan of correction from a NARRO must be mailed to the Division within 10 business days from the date the statement of deficiencies was received by the NARRO. A signed plan of correction will not be used by the Division as an admission of the violations alleged in the statement of deficiencies.
- (4) A NARRO must correct all deficiencies within 60 days from the date of the receipt of the statement of deficiencies, unless an extension of time is granted by the Division. A request for such an extension must be submitted in writing and must accompany the plan of correction.
- (5) The Division must determine if a written plan of correction is acceptable. If the plan of correction is not acceptable to the Division, the Division must notify the NARRO owner or administrator in writing:
 - (a) Identifying which provisions in the plan the Division finds unacceptable;
 - (b) Citing the reasons the Division finds the provisions unacceptable; and
 - (c) Requesting that the plan of correction be modified, resubmitted and received by the Division no later than 10 business days from the date notification of non-compliance was received by the NARRO owner or administrator.
- (6) If the NARRO does not come into compliance by either the date of correction reflected in the plan of correction or a Division approved extension as provided for in section (4) of this rule, or 60 days from the date of receipt of the statement of deficiencies, whichever is sooner, the Division may propose to deny, suspend or revoke the agency license or impose civil penalties.

Notes

Or. Admin. R. 333-081-0085
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356

Stats. Implemented: OL 2013, Ch. 356

Or. Admin. R. 333-081-0090 - Formal Enforcement

[State Regulations](#) [Compare](#)

Current through Register Vol. 60, No. 9, September 1, 2021

- (1) If during an investigation or survey Division staff document ongoing or substantial failure to comply with NARRO laws or rules, or if a NARRO fails to pay a civil penalty imposed under Oregon Laws 2013, chapter 356, section 5(1) and these rules, the Division may issue a Notice of Proposed Suspension or Notice of Proposed Revocation in accordance with ORS 183.411 through 183.470.
- (2) The Division may impose civil penalties for violations of Oregon Laws 2013, chapter 356, Sections 2 or 3 or these rules, in accordance with ORS 183.745. Civil penalties imposed under this rule shall not exceed \$1000 per violation.
- (3) At any time the Division may issue a Notice of Emergency License Suspension under ORS 183.430.
- (4) If the Division revokes a NARRO license, the order shall specify when, if ever, the NARRO may reapply for a license.

Notes

Or. Admin. R. 333-081-0090
PH 6-2014, f. 1-30-14, cert. ef. 2-1-14
Stat. Auth.: OL 2013, Ch. 356
Stats. Implemented: OL 2013, Ch. 356

JsB

Sent Certified Separately

September 20, 2021

The Honorable Paul D. Borman
US District Court: Eastern Michigan
Theodore Levin U.S. District Courthouse
231 W. Lafayette Blvd. Rm 725
Detroit, MI 48226

Re: United States of America v. Greene et al
CRIMINAL CASE #: 2:19-cr-20189
Eastern Michigan District DOJ

Ref: December 14, 2019 letter

To The Honorable Paul D. Borman;

With sentencing scheduled for tomorrow at 11.00 am EDT, for Green Sr, I implore Your Honor to address the following as you deliberate on Mr. Greene's sentencing. You should also be aware that Illinois has now passed, and the Governor has signed, SB 363 which, among other provisions, created a Task Force to further assure Non-Transplant donations are handled with respect and consent with failure to do so a felony with the strength of enforcement.

Direct the DOJ to Notify the 190+

These surviving family members and/or close friends should be informed of events and allowed the choice of community. Not all will want to reach out to the **BRC Donor Group** but for many, we offer insight, information, compassion, and sustenance by our common journey down a harrowing path. We have a Reach-Out Letter composed which Sandy Palazzolo and the DOJ would send to all the 190+ surviving families/friends making them aware that they are not alone and have a powerful voice and story to tell. The choice to respond will be theirs and we will not be privy to the mailing list data. Your encouragement/order could make it happen.

Restitution

The Greens should relinquish control of the **BRCIL Memorial Garden** in **Elm Lawn Memorial Park** in Illinois to an organization acceptable to the survivors such as the Gift of Hope, Donate Life, and/or the Illinois Secretary of State – organizations that will restore its dignity, respect and hence provide all surviving families hallowed ground for Peaceful Remembrance. The memorial contains 172 names dating from 2008. Most of the families are unaware of the Rathburn and Greens cases. We suspect many of the remains under the FBI's control are represented on the walls of this disgraced granite.

Direct the DOJ to provide a Timeline for the Return our Loved-Ones

Mr. Stephenson stated unequivocally that the Greens would immediately –regardless of any Plea Agreement- surrender their rights to our Loved-Ones who are still in an FBI Detroit evidence cooler. I read those statements to mean there are no longer any obstacles preventing the DOJ from moving ahead to complete the promised cremations and return the remains to the rightful family members. (July 1st, 2019 court transcript page 21 line 14)

Respectfully,



John S Butsch
Father: Alexandria Orba Donor Number: BRCIL2014211
Work: 773.525.1030 x203
Cell: 312.741.4144
jsb@RowAA.org
Note: BRCIL Donors Group consent on file:

Cc: Assistant US Attorney Timothy J Wyse, BRCIL Donors Group, Secretary of State Jesse White

July 9, 2019

The Honorable Paul D. Borman
US District Court: Eastern Michigan
Theodore Levin U.S. District Courthouse
231 W. Lafayette Blvd. Rm 725
Detroit MI 48226

Re: United States of America v. Greene et al
Criminal Case # 2:19-cr-20189
Eastern Michigan District DOJ

To The Honorable Paul D. Borman :

My father Frank DiNardo died the morning of November 1st, 2011. He was 74. 4 months earlier he'd been diagnosed with terminal cancer. As he thought out final arrangements, Biological Resource Center of Illinois (BRCIL) was suggested to him by Edward Hines VA hospital in Illinois where he received care. He was told it could be a wonderful way to give back at the end of life's journey. Facing death often inspires the desire to do something meaningful. After brief conversations with Donald A Greene II and Melissa Williams at BRCIL, he made the decision to become a donor. He was told that after he passed his body would be released to BRCIL where within 2 weeks, soft tissue samples and organs would be removed and used for medical training and education. Within 30 days his body would be cremated and the ashes returned to my mother. To my parents, who were always very practical about death and had already decided on cremation, this appealed to them as a simple & responsible decision. There was very little paperwork, almost nothing in writing. Most communication was handled over the phone. My mother and I received what we were told were his ashes within the month. That was 7 ½ years ago.

Two months ago, on May 2nd, 2019. I received a call from the U.S. Dept. Of Justice: Eastern Michigan that up-ended my world. I was told by the Victim Witness Coordinator that my father had been a victim of a crime involving BRCIL and IBI (International Biological, Inc.). It was explained to me that my father's head was recovered during a raid of the IBI warehouse in Detroit, Michigan in December of 2013. His head had been moved to a freezer in a Detroit FBI evidence facility and stored for over 5 years until the recent conclusion of the Arthur Rathburn Case 2:16-cr-20043. I was being asked if I'd like to receive the cremated ashes of his head. The remains were delivered on May 21st, 2019. Because the case had already concluded, I had no opportunity to submit a victim impact statement. The experience of receiving my father's ashes was both puzzling and troubling. I say this because I quickly realized that the volume of the material from my father's cremated head was much greater in volume than the initial cremated remains received 7 ½ years ago from BRCIL. I know now that what I had received all those years ago was not my father's remains minus some 'tissue samples and organs' but rather a small portion of his dismembered body. Given the reports of fraud & deception surrounding the Greens, I have zero confidence the remains I received from BRCIL were truly my father's. My mom, Diana, passed away in October of 2013. Her instructions were followed and she also became a donor to BRCIL and her ashes were returned to me – similar in volume to my father's. I'm forever left to wonder who or what I actually received.

It's a subject that's difficult to talk about and a brave move, entrusting one's body to medical research. We trusted Donald A. Greene Sr. and Donald A. Greene II to operate their business with full disclosure and transparency. Not informing my terminally ill father or grieving family of what it is they ACTUALLY AND TRULY do and the shady individuals they routinely do business with is most surely the same as lying. They have skillfully taken advantage of grief stricken families. It's impossible that every family got it wrong or just misunderstood. Not providing full disclosure of vital and actionable information to donors while hiding behind vocabulary the average person is not familiar with, robbed my family and all donors of the ability to make informed decisions. Never, in any paperwork or conversation, was my father informed that BRCIL would sell and re-sell portions of his body to multiple institutions throughout Illinois. Never was it disclosed that BRCIL would sell portions of his body to an out of state Body Broker or that he'd be stored for years in an unsanitary warehouse, frozen together with other donor's body parts while being repeatedly rented out and shipped back and forth across the country as Arthur Rathburn, a "Cadaver Dealer" pocketed money over and over again off of his body, his donation. If fraudulence was not their intention, all possibilities of what could be done with a donor's body should have been revealed. I can say without doubt this knowledge would have changed our decision.

The revelation of what has happened to my dad and all the victims of BRCIL's deceit, is quite plainly, horror movie material. These are scenarios my family couldn't possibly imagine or even know to ask about. I've had only a few short months to wrap my mind around the knowledge of my dad's fate. I'm just beginning to work through the shock. The process of understanding exactly how my life has been (and is now) forever impacted will be a long struggle and journey. My grieving is renewed daily. Fear, doubt and uncertainty are my companions. The thoughts of how my father was mishandled, disrespected and degraded are constant and my memories are tarnished forever by the uninvited images that cruelly play out repeatedly in my mind. To be told "the offenses charged in the Greens case does not include any culpability for the mishandling of the donated persons." is another tremendous insult to the dignity of my father and every donor involved. Our loved ones ARE victims and they have no voice. Please, Your Honor, give them a voice as you consider sentencing.

Sincerely,



Dawn DiNardo
Daughter: Frank DiNardo Donor Number BRCIL-2011149
Diana DiNardo Donor Number BRCIL-2013190

Honorable Judge Paul D. Borman
US District Court Eastern Michigan
Theodore Levin Court House
231 W. Lafayette Blvd Room 725
Detroit, MI 48226

Re: US vs Greene et al Case 2:19-cr-20189

Judge Borman,

You may recall my presence in your courtroom in May 2018 for the sentencing of Arthur Rathburn. My father Randolph Wright BRCIL ID 0610004 passed away on June 13, 2010; prior to his passing he planned with Biological Resources of Arizona to donate his body under the pretense of research. My father's intent was to find a cure for ALS, which is what killed him. My parents were told there was no guarantee his body would be used for ALS, it would depend on what they were working on or studying when he passed, my father agreed to the donation, but hoped he would be used for ALS research. This agreement took place in 2009, due to personal circumstances I found it was no longer safe for my parents to continue residing in Arizona and asked them to move back to Illinois, my parents were told the body donation could continue as Arizona had an affiliate location in Illinois that would honor the original agreement. My parents did move back to Illinois in December 2009, and my father would pass six months later, we called Biological Resources of Illinois located in Rosemont and they picked up my father's body, planned to contact me the following day for the death certificate information. Roughly two weeks later I received a call stating my father's ashes were available along with the death certificate copies and a flag since my father was a veteran. All appeared fine and in order, but that was not to be the case. Truth is stranger than fiction in this case.

January 2015 the FBI raided the offices of Biological Resources in Rosemont, IL and a crematory in Schiller Park, IL. I heard about the raid on the radio of all places, call it a fluke or divine intervention, but I happened to turn my car radio to the AM side to hear the news, something I rarely if ever do. I immediately recognized the name and after ensuring my mother and brother would not make any connection started a long process that appears to have shut me out of full justice after four years of anguish, fear, disbelief, a nightmare that never seems to end. I contacted the Chicago FBI office to inquire if we had something to worry about, was directed to the Detroit office where the same inquiry was made. I completed the FBI's questionnaire regarding the donation of my father's body and would look periodically on the website for any information. I fail to understand how or why the charges brought forth against Donald Greene Sr and his son Donald Greene II are viewed as victimless crimes. How can I be a victim of Arthur and Elizabeth Rathburn but not the Greene family? Yes, my father's head was found in the warehouse of Arthur Rathburn and it makes sense that I or I should say my family would be victims, but that does not negate or answer the question of how it got there. If the Greene's alleged crime has no victims, how did the body parts found in the Rathburn warehouse exist? We did not donate my father's body to Arthur and Elizabeth Rathburn, nor did we donate to International Biological Inc, the company owned and operated by the Rathburn's, we donated to Biological Resources of Illinois located in Rosemont, IL the location owned and operated by Donald Greene Sr and Donald Greene II. My reasoning may not be that of a lawyer or legal professional, but to get from point A to

point B something had to transpire. Biological Resources of Illinois transpired with Arthur Rathburn to obtain my father's head at a cost of \$500.00. The FBI has a record of that sale obtained in the various raids between Illinois and Michigan. I have enclosed a copy of this invoice highlighting my father's donor number for review. It is my opinion that the Greene family did not perpetrate a victimless crime if my father's body was in their possession, an invoice exists showing his BRCIL id number with a cost of \$500.00 billed to International Biological Inc. Does the Greene's plan to say this did not take place? My father's head did not grow feet or sprout wings to make its way to Michigan and more specifically Arthur Rathburn, say buy me, and while you're at it, send the money to the nice people at Biological Resources of Illinois. If we are to consider this fantasy, the more logical conversation would be, send the money to my wife.

When my father's ashes were delivered to me, I asked what was taken and was told by the woman she was not sure and would have to get back to me. This is something that never happened, we were led to believe the ashes belonged to my father, but after hearing the testimony from Arthur Rathburn's sentencing hearing, we cannot be certain of that fact. The fact my father's head was found in the warehouse of Arthur Rathburn signifies we did not have all my father's ashes.

It was after hearing that Arthur and Elizabeth Rathburn concluded their trial and plea agreement, I found out that Illinois charges were pending and would have to wait, a wait that may be for nothing as the charges filed imply a victimless crime. It has been brought to my attention the charges against Donald Greene II will yield no time served or restitution, and Donald Greene Sr will have minimal time served with no restitution. I realize you have no control over what plea arrangements are made, but it stands to reason that the Greene family is not reaching a plea agreement to save the families, rather it is to save themselves. Stephen Gore reached a plea agreement and received probation with restitution, Elizabeth Rathburn reached a plea agreement and received probation with restitution, Arthur Rathburn took a gamble, passed on a plea agreement, went to trial, was convicted and received a nine-year sentence with restitution. It does not take a rocket scientist to realize that the Greene's attempt at a plea agreement is to minimize any real impact on them and be able to continue life as if nothing happened. Why should Arthur Rathburn be the only person to receive real time when he was not acting solely, he had willing participants that were only too happy to accept the money and turn a blind eye to the illegal acts being committed.

I ask that you consider my words and those of other victims while presiding over this case and ensure that justice is served, and accountability held for all involved. I am also enclosing a copy of my father's death certificate and cremation certificate showing Biological Resources listed on both forms.

Sincerely,

Tracy Smolka
Kankakee, IL
Daughter of Randolph Wright BRCIL 0610004

COPY

Original send via Certified Mail

The Honorable Paul D. Borman
US District Court: Eastern MICHIGAN
Theodore Levin
231 W Lafayette Blvd Room 725
DETROIT MI 48226

RE: United States Of America v Greene et al
Criminal case#2:19:-cr-20189
Eastern Michigan District DOJ

July 17, 2019
To the Honorable Judge Borman,

My name is Carrie Burr. My husband Russell died on March 29, 2012. We could not afford a funeral or a cremation. Someone put us in touch with Biological Resource Center of Illinois (BRCIL) and we were told by them that they would donate my husband's body to science followed by a free cremation upon return of his remains. Russ and I had always agreed on both of us being donors when we died. BRC seemed too good to be true. It was.

You see, It was misleading from the get go. Our children and I said goodbye to Russ in 2012. I was so proud, thinking that Russ's legacy would be treated with love, dignity, kindness, discernment and respect. The Greene's "promised" but they lied. They chose fraudulence over truth and love. They carried out their atrocities under the guise of extending kindness. I do not care how altruistic they appeared in their community. Look deeply, behind closed doors, and then tell me what upstanding citizens the Greene's are. Their savagery has touched me deeply. I am not the same as I was before the Greene's. I am deeply damaged mentally and emotionally. I'll never find the me I used to be before the Greene's cognizant choices and actions were executed.

Years went by and in 2015 I received a letter from the FBI stating that my husband was a victim of BRC. He was given a donor number. I was to call the FBI and give them his donor number. My husband was donor number **BRCIL2012039**. Confused, I called the FBI and spoke with agent Paul Johnson. He told me what had been done to my husband's body by the BRCIL. He told me that what was left of my husband's body was in a freezer at the FBI. It was upon receiving this information that my horror began. I freaked out. I fell into deep depression and anxiety. Panic attacks every day. I became reclusive and am still afraid to leave the house. My grief was and still is deeper than I ever imagined it to be.

I received an urn of what were supposedly his ashes in the summer of 2012. Now I am left to wonder if those were really Russell's remains. My friend who lost her son said her urn was a great deal heavier. Do I even have his ashes? And then, there are his remains—housed in a Detroit FBI freezer. Will I ever get my Russ' remains? I'm still waiting. BRCIL also promised to inscribe Russ' name on their Memorial honoring his donation to science. They never did. Most definitely I am a **VICTIM** of horrific proportions.

Seven years later, I am still wounded by what the Greens did to my husband. Still bear the effects of the Green's despicable work, their wretched acts, utter disrespect, their lies, their lack of acting with and in the name of human dignity.

I feel angry, scarred, battered, and terrified by what the Greens did to my husband. I will never be the same. To say this is a victimless crime is the biggest and most loathsome lie of all. I still cry every day and suffer deep depression, anxiety, and agoraphobia. My children grew up without their daddy. That in itself is tragic. But to be made aware of what went on in that slaughter house sickens them.

Me and my fellow VICTIMS/ friends in this group and the rest of the 289 VICTIMS of this reprehensible CRIME need to be recognized as VICTIMS. HOW could we be anything BUT ?

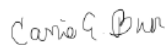
What the Greens have knowingly done to our lives can never be reversed and done over. None of us will ever recover, not from the Green's barbaric acts. We are the wounded, the scarred.

To state that we are not VICTIMS of the Green's blasphemy is criminal. To deny us a voice? Above and beyond belief. Our lives are changed forever; we have been wounded beyond words. We all have a story to tell and a voice to raise because of the Greene's.

Please prevent this God forsaken act of terror and complete disrespect for humanity from continuing. We need legislation to prevent this living hell from occurring ever again. And not just in Illinois. The entire United States of America is prey for this horror. As a VICTIM of the Green's CRIMINAL ACTS, I urge Your Honor to consider these heinous practices as you pass sentencing upon the Greenes.

"The dead cannot cry out for justice. It is a duty of the living to do so for them.."
(L M Bujold)

Sincerely,



Carrie Burr
30 Aspen Ln
Carpentersville IL 60110

JsB

The Honorable Paul D. Borman
US District Court: Eastern Michigan
Theodore Levin U.S. District Courthouse
231 W. Lafayette Blvd. Rm 725
Detroit, MI 48226

July 1, 2019

Re: United States of America v. Greene et al
CRIMINAL CASE #: 2:19-cr-20189
Eastern Michigan District DOJ

To The Honorable Paul D. Borman;

Our voices have been silenced, justice delayed and perhaps even denied.

My daughter's remains are 'on ice' in a Detroit FBI evidence facility and have been for over four years. I am not alone; there are over 190 families from Illinois whose loved one are sharing the same fate. We were all informed by the FBI and the DOJ that Greene's prosecution would move ahead upon the conclusion of the Rathburn **Case 2:16-cr-20043**. On April 3rd of this year the indictment against the Greens was filed in the **Eastern District of Michigan**.

The success of the DOJ Rathburn prosecution led all of us to have faith in the DOJ's prosecution of the Greens. However, issues were raised the moment we read the Greens narrow two count indictment; the fraud we feel was perpetrated against us was not among the counts. I directed questions to Sandy Palazzolo and Lead Attorney Timothy J Wyse of the DOJ in attempt to gain clarification. On May 29th, I received an email reply from Ms. Palazzolo which included the following:

'As the offenses charged in this case do not reveal this to be a victim case, please send any statements directly to Judge Borman.'....**Sandy Palazzolo, Victim Witness Coordinator, DOJ**

For the **DOJ** to say this is a victimless crime is an affront to human decency. This past week I was finally able to speak to Attorney Wyse who compassionately explained the law and circumstances behind the indictment. It became clear that the decision to move this prosecution out of Illinois and into the Easter District of Michigan has essentially deprived or delayed us from seeking justice in Illinois for four years with evidence locked up until final resolutions in the Rathburn and Greene cases. It was one more emotional shock in a series of devastating revelations. We are now left with the real possibility that the **Statute of Limitations** is also working against us. We are left asking why. Why couldn't our loved ones be returned home long ago so we could attempt re-heal as they were laid to rest with love and dignity? Why is justice so elusive?

The above underscores the reason and emotion of this letter. I am asking Your Honor to grant us, and other family members so affected, the opportunity to send **Impact Statements** regarding the Greens to your attention and to be allowed to address the court upon the sentencing of the Greens.

Your Honor, please allow our voices be recorded and heard.

Respectfully, I remain



John S Butsch
Father: Alexandria Orba Donor Number: BRCIL2014211
Work: 773.525.1030 x203
Private Cell: 312.203.7413
jsb@RowAA.org

cc: BRCIL Donors Group: the Butsch/Orba Family

JsB

Sent Certified Separately

December 14, 2019

The Honorable Paul D. Borman
US District Court: Eastern Michigan
Theodore Levin U.S. District Courthouse
231 W. Lafayette Blvd. Rm 725
Detroit, MI 48226

Re: United States of America v. Greene et al
CRIMINAL CASE #: 2:19-cr-20189
Eastern Michigan District DOJ

To The Honorable Paul D. Borman;

On December 4th and upon my request, Sandy Palazzolo (USAMIE) sent me the unredacted transcript of the July 1 court proceedings that was apparently released to the public on October 1st. My reading and take has raised multiple questions including some that will undoubtedly be outside your jurisdiction. However, even in those cases, the events that have unfolded since the January 2015 FBI raid on BRCIL are interwoven between jurisdictions with unintended consequences going to the heart of understanding the impact upon multiple 'victims' and their surviving families/friends. It is also clear from reading this transcript that the question **Who is a victim?** raises legal arguments way beyond my training in Medieval Philosophy. There is, however, no question in our minds that our Loved-Ones are indeed victims; they made a choice to be donors which we 'survivors' -their mothers, fathers, sister, brothers ,husbands or wives- honored in good faith and according to the promises provided by the BRCIL and the Greens. (see the Memorial Garden quote below) They did not choose to be defiled by placing in cold storage for over 5-years. Your Honor, please be patient and attentive as we raise the following questions.

Surrender of Ownership (Page21/Ln14)

Mr. Stephenson stated unequivocally that the Greens would immediately –regardless of any Plea Agreement- surrender their rights to our Loved-Ones who are still in an FBI Detroit evidence cooler. I read those statements to mean there are no longer any obstacles preventing the DOJ from moving ahead to complete the promised cremations and return the remains to the rightful family members.

We have heard nothing. Are our Loved-Ones still being held as some perverse bargaining chips in a Plea Deal?

BRCIL Memorial Garden -Elm Lawn Memorial Park in Elmhurst, Illinois

On Saturday, April 25, 2009, **BRCIL** dedicated their new Memorial Garden. When we followed the wishes of our Loved Ones and donated their bodies to the care of the Greens and **BRCIL**, they promised their names would be inscribed in an annual ceremony. Furthermore they promised return of the cremated ashes of our Loved-Ones after scientific or educational use. To quote Don Greene in an interview with the **Gift of Hope**:

'The memorial garden is the first of its kind in the United States. We will be dedicating a monument to all those who have donated an organ or tissue for transplant, research or education. We will have representatives from Gift of Hope Organ and Tissue Donor Network and the Illinois Secretary of States' Office of Organ Donation to help us with the dedication.' March 16, 2009'

and continuing:

'The second question about when cremated remains are returned to the designated family member or friend is usually 14-21 days after the donors death. Unlike university programs where donors are kept anywhere from 6 to 9 months we are able to proceed with our procurements and return remains in a more timely manner allowing families closure and the opportunity to proceed with memorial masses or services soon after the donors death.' March 16, 2009'

The Greens wrapped their Dark Deeds with a Cloak of Respectability by associating with those whose work was and is commendable and serves the public honorably. The Greens blinded the vision of these trustworthy organizations leading them to ignore actions that should have been called out, exposed and condemned. Finally, if the cremated remains were to be returned within 14-21 days, what were they doing in the facility raided in January of 2015? There are victim remains in Detroit that were donated as far back as 2011. When it comes to restitution, please consider our request on at the end of this letter.

Reaching the over 190 affected Families

According to the **DOJ**, the remains of over 190 victims, like our Loved-Ones, are in Detroit storage. Our **BRCIL Donors Group** is a small group that has tried to reach out to these families not only to offer information about this case but also to offer emotional support through mutual experience and allow their voices be heard. Your Honor, those voices belong in your Court room upon sentencing and those voices belong at the table to formulate legislation that will stop the inhumane practices of the Body Trade in the future. Please consider our request on at the end of this letter

FBI Chicago

This office declined to take over the investigation. Their decision set in motion the dilemma now facing all victim families and led to the DOJ assigning not only the Greene's case to the Detroit office but also designating that office to handle all investigations nationally under Chief Investigator Agent Johnson. To the victims and survivor families, this decision has effectively threatened our access to the Illinois courts. We placed our belief in a judicial process without realizing our rights to even civil action was being jeopardized and/or may no longer be an option due to Illinois Statue of Limitations.

What were the circumstances surrounding this decision by the FBI Chicago office in 2014/2015?

3410 N Rutherford

Chicago, Illinois 60634

312.203.7413

1/2

JsB

Cook County Medical Examiner's Office/Coroner

According to Agent Johnson, the Cook County Coroner agreed to house the evidence recovered from BRCIL in the January 2015 raid. At the last minute, the Coroner and/or Medical Examiner's office declined hence sending Agent Johnson and his staff scrambling to make arrangements to transfer the evidence—our Loved-Ones—to Detroit where they remain stored to this day. **What were the circumstances surrounding this decision by the coroner's and/or Medical Examiner office?**

Illinois Attorney General Lisa Madigan (2003-2019)

The 2015 raid on BRCIL made major media headlines but the Attorney General's office was essentially silent. **Why did Lisa Madigan and/or her office fail to investigate and/or prosecute the BRCIL case?**

Legislative Efforts

This is a side point but I feel it is important to mention to Your Honor. Our BRCIL Donors Group is actively involved in encouraging, formulating and monitoring legislative activity aimed to address the abuses revealed in the Gore, Rathburn and Greene cases. In Illinois we are working with State Representative Dan Brady on legislation addressing these issues. At the Federal level, we are focused on [H.R. 1835](#) currently making Committee rounds under the sponsorship of U.S. Representatives Bobby L. Rush (D-Ill.) and Gus M. Bilirakis (R-Fla.)

In closing, we ask Your Honor to consider the following and to place this letter on the Court's record

Appoint Outside Council (Page13/Ln4 & Page24/Ln7)

You have raised this possibly as a means to give more than a voice to the families who's Love-Ones remain isolated in cold storage. It would give us representation. It would give a sense of empowerment to those of us who feel abandoned and set adrift powerless to affect the return of those we love. More importantly, it would have a profound impact as we prepare to confront the suppressed pain, remorse, guilt and confusion that will likely overwhelm us as this legal ordeal comes to a close. We are all returning to the sense of loss and grief we experienced when our Loved-One originally departed and we are fearful that shades of darkness will once again descend and cloud our spirit.

Restitution

The Greens should relinquish control this Memorial Garden to an organization acceptable to the survivors such as the Gift of Hope, Donate Life and/or the Illinois Secretary of State – organizations that will restore its dignity, respect and hence provide all surviving families hallowed ground for Peaceful Remembrance.

Direct the DOJ to Notify the 190+

These surviving family members and/or close friends should be allowed the choice of community. Not all will want to reach out to the **BRC Donor Group** but for many we offer insight, information, compassion and sustenance by our common journey down a harrowing path. We would like to compose a Reach-Out Letter which Sandy Palazzolo and the DOJ would send to all the 190+ surviving families/friends making them aware that they are not alone and have a powerful voice and story to tell. The choice to respond will be theirs. Your encouragement or order could make it happen.

Direct the DOJ to provide a Timeline for the Return our Loved-Ones

This reflects back to our earlier discussion of above on **Surrender of Ownership**

On behalf of the BRC Donors Group, Respectfully,



John S Butsch
Father: Alexandria Orba Donor Number: BRCIL2014211
Work: 773.525.1030 x203
Private Cell: 312.203.7413
jsb@RowAA.org
Note: BRCIL Donors Group consent on file:

2/2

JSB

August 23, 2021

Dear SB 363 Task Force Members;

There is no accountable, systematic, or educational protocol in Illinois for the donation of Non-Transplant Body & Tissue. This tragically strikes home when a registered [Life Goes On](#) donor's organs and/or tissue does not meet the certification protocol for human transplant. Essentially, the [Gift of Hope](#) door is slammed shut with families scrambling to meet their loved ones' final wishes. The result is the debacle and inhuman creation of the Body Parts Trade disturbingly documented in Annie Cheney's 2006 book [Body Brokers](#) and the [Reuters Investigates](#) detailed expose of the **Body Trade** in 2017. The former book provided context to the Detroit FBI investigation into the Body Trade that not only led to the indictment of Arthur and Elizabeth Rathburn in 2016 but also sparked investigations in Arizona as well as here in Illinois leading to the raid of the **Biological Resource Center of Illinois** (BRCIL) on January 13, 2015. To this day, six years after the BRCIL raid, 190 families anxiously await the return of their loved ones who are stored in Detroit FBI evidence lockers.

The mission of this Task Force is clearly stated: "research the industry, investigate State and local standards, and provide recommendations". There's the rub: when it comes to the donation of Non-Transplant Body and Tissue, there are no standards. The unregulated world of Body Parts commerce is wrought with illegal activity of the most macabre kind along with acts of deception, misinformation, and greed. We, the families of abused love ones, bear witness to this reality with the hopes that any legislation will carry the weight of heavy prosecution.

We have all been given the task to right a grievous wrong. Illinois, through this Task Force, can once again lead the way as Illinois has in so many social causes, to establish a national blueprint to bring dignity, respect, and honor to the end of life that has been denied so many. We all have a unique opportunity to extend to those donating Non-Transplant Body and Tissue the same safe and regulated system that has been achieved by the remarkable work done through the [LifeGoesOn](#) program marshaled by Secretary White and his staff. Your work will define our options as we all approach death. Whether we choose a traditional burial, cremation, organ or non-transplant donation, or even a green alternative, we must all be secure in the knowledge and comfort that good actors will honor our choices as we depart this life. The right to define our life is diminished if we are deprived of the right to define our death. In death, we pass on our values to the living.

As this Task Force starts its discussion and deliberations, I encourage you to review the [National Organ Transplant Act of 1984 \(NOTA\)](#) which provides a solid point of departure to fashion legislative recommendations that will protect the integrity of personal Non-Transplant donations. While the missions are distinctly different, the spirit and organizational structures have parallels. Such an organizational structure starts with the Secretary of State who would expand [Gift of Life](#) registration to include Non-Transplant Body and Tissue donations. Only those who have consented to either or both forms of donation -while living- can be added to the new comprehensive [Donor Registry](#). In Illinois, the effective and successful [Gift of Hope](#) is the key **Organ Procurement Organization** (OPO) for living organ transplant coordination. The **Anatomical Gift Association of Illinois** (AGA) -or another entity so created-- could be authorized to fulfill the same role for Non-Transplant donations, procuring, preparing, and preserving donations for medical and scientific study while maintaining an accurate registry. This entity would also be key to coordinating with the funeral industry while supporting its operational budget from a public fee structure meeting the research, educational, and medical training needs of schools, hospitals, and the medical industry. This latter role underscores the symbiotic relationship between live organ and non-transplant organ donations; you cannot have one without the other. Transplant success depends upon continued medical research and training. The Secretary of State would be the lead organization coordinating these complementary organizations.

I hope the above is helpful and contributes to the discussion and outcome.

Sincerely,



John S. Butsch
Father of Alexandria Orba, BRCIL victim
312.741.4144

8/23/2021 3:50 PM

1 of 2

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JSB

Timeline:

- 2006 Annie Cheney's book –[Body Brokers](#) is released
- 2009 **Biological Resource Center of Illinois (BRCIL)** dedicates its memorial to Non-Transplant Body and Tissue donors at Elm Lawn Cemetery in Elmhurst, Illinois.
- 2011 The FBI Detroit office starts monitoring Arthur Rathburn of **International Biological, Inc**
- 2013 FBI raids Rathburn warehouse
- 2014 FBI and Arizona Attorney General's office raid **Biological Resource Center of Arizona.**
- 2015 FBI raids **Biological Resource Center of Illinois (BRCIL)** and Cremation Services, Inc
All BRCIL evidence moved to Detroit after Cook County Coroner declines to store and protect.
- 2016 Department of Justice (DOJ) indicts Arthur and Elizabeth Rathburn for wire fraud and illegal transportation of hazardous material.
- 2016 Investigation into Rathburn implicates, BRCIL and Arizona BRC.
- 2017 Release of [Reuters Investigates](#) detailed journalistic expose on the **Body Trade**
- 2018 Guilty verdict is handed down in Rathburn case
- 2019 Rathburn's appeal to the 6th District Court of Appeals was denied.
- 2020 US Supreme Court refuses to hear the Rathburn's case.
- 2019 **DOJ** indicts Donald Green, Sr, and Donald Greene II (BRCIL) **Case #: 2:19-cr-20189-PDB-EAS**
- 2019 Legislative discussion hosted by Rep. Dan Brady at Chicago's **James R. Thompson Center**
- 2019 The Greene's plead guilty but initial plea agreement with DOJ is thrown out by Judge Borman
- 2020 New Greene plea agreement accepted by the court. Sentencing delayed due to Covid19.
- 2021 Greene sentencing delayed again due to defense counsel's broken hip.
- 2021 The Greene's remain uncharged in Illinois.

Footnotes:

*All evidence from the 2015 BRCIL seizure have been cremated and are currently being processed by the FBI for return to the families of the loved ones.

*All cremated remains from the 2013 Rathburn seizure have already been returned to their respective families.

*The BRCIL Memorial remains standing to this day at the Elm Lawn Cemetery in Elmhurst, Illinois. The remains of 53 of the 172 donors inscribed on the memorial were recovered as a result of the raids conducted by the FBI on the Rathburn (27) and Greene (26) facilities. What should be a sacred monument on hallowed grounds has become a shameful and tarnished reminder of inflicted pain. It is hoped the Task Force will include in their recommendations that the memorial be moved, revitalized and rededicated in a proper manner.

Dear Task Force Members and interested parties,

As stated by Micah, it was good to meet again with those I have met with in the past and to meet new individuals on the Task Force. I left the initial meeting encouraged that a meaningful discussion and exploration have been initiated to address the issues at hand. And I am especially appreciative of the time allowed to let those of us who have endured the events leading to this point in time, to tell our stories.

As I look forward to tomorrow's meeting, I wanted to list my thoughts/questions that have percolated over this last month as I refocus on the needs and dimensions of effective legislation

Anatomical Gift Association of Illinois (AGA)

I want to learn more since I believe this organization can be the model and/or parallel organization to the federally sanctioned **Gift of Hope**.

Not for Profit

Such an organization should be a Not-For-Profit organization that is monitored and accredited by such organizations as [Guidestar](#). On this issue, I agree with sentiments expressed by Task Force member Callum F Ross and Rep Dan Brady. I would like to hear Bill O'Conner's thoughts as a member of AGA

Current Enforceable Legislation

According to Rep. Dan Brady and Bill O'Conner, there are current laws that could have –or can be- applied to the actions and crimes of **Biological Resource Center of Illinois (BRCIL)** and its owners Donald A Greene Sr. and Donald A Greene II. What are those statutes?

BRCIL Prosecution

While this case is not under the mandate of SB 363, it is why we are here. Although they are convicted Federal felons, the Greene's have never been charged in Illinois. The lack of an investigation into the Greenes by appropriate agencies is mystifying especially considering statements maintaining there are laws on the books.

Are the Greenes still licensed by the State of Illinois and if yes, why?

Why did the Chicago office of the FBI and our Attorney General refuse to handle the case in 2014/15?

Why did the Cook County Medical Examiner's office decline to preserve and protect the evidence from BRCIL at the 11th hour necessitating the move of the remains of 190 families to Detroit?

Do the laws on the books still allow prosecution or has the Statue of Limitation run out?

and finally, how can we petition the *US District Attorney's Office Eastern District of Michigan* to contact all members of these 190 families informing them of these proceedings?

I realize the above covers a lot of ground. However, it is through the lens of these questions, options, and issues that focused and meaningful legislation will emerge.

Regards,
John S Butsch,
Father of Alexandria Orba
Cell: 312.741.4144

JSB

Dear Task Force Members

November 29, 2021

Here are recommendations as we enter the final session tomorrow.

UNIVERSAL CONSENT FORM

The following options should be part of any consent and/or sign-up form provided to potential donors. It should be integrated into the **ILSOS Registry** and should be part of all educational, contractual, and/or promotional material provided to potential donors by all funeral directors, funeral homes, cemeteries, crematoriums as well as medical teaching and/or scientific research organizations.

This sample form is database driven with drop-downs containing the names of **Registered** and **Licensed** providers in Illinois:

If Live Transplant donation is not possible, I want my body to be used for:

- Medical Education/Teaching, or Scientific Research
 - Anatomical Gift Association (AGA)*
- Green Burial (no embalming)
 - Natural Pathway**

As an ILSOS registered Live Organ Donor, I want my post-donation remains to be:

- Cremated and returned to my family
- Donated to the following Medical Educational/Teaching, or Scientific organization
 - Anatomical Gift Association (AGA)*
- Green Burial (no embalming)
 - Natural Pathway**

Note:

* Indicates a database-driven dropdown of Illinois Registered and Licensed firms

** Indicates a database-driven dropdown of cemeteries recognized by the **Green Burial Council**

The **Universal Consent Form** should also clarify:

- (1) The **ILSOS Registry** works solely with the **Gift of Hope** which is certified by the **United Network for Organ Sharing (UNOS)** a private, non-profit organization that manages the U.S. organ transplantation system under contract with the federal government.
- (2) All Medical Educational/Teaching or Scientific organizations approved to accept full and/or partial body remains are registered with **ILSOS Registry** through its **Organ/Tissue Donor Program** as well as being licensed and inspected by the **Illinois Department of Public Health (IDPH)**. Furthermore, Medical Educational/Teaching and/or Scientific Research organizations seeking such registration and licensing must demonstrate they maintain medical theaters for demonstration and dissection that meet the **IDPH** standards. The rental of non-licensed, non-registered temporary facilities –hotel rooms, exhibit centers, etc, is strictly prohibited in Illinois.
- (3) No full or partial body donation is allowed to leave Illinois unless there is an intra-state reciprocity agreement with a State that meets or exceeds Illinois standards.
- (4) Any Registered and Licensed organization that accepts **non-transplant organ donations** is responsible and liable for the possession and treatment of a donation from receipt to return to the donor's family for burial.

The point of the above is to be explicitly specific about the kind of institutions donors are supporting when it comes to **non-transplant organ donation**. All of the following fit under the umbrella of legitimate organizations serving Medical Teaching and/or Scientific Research:

- Anatomy and Physiology Student Education and Labs
- Alzheimer's, Dementia, and Parkinson's Research
- Cranio-Maxillofacial Surgical Technology
- Drug Therapy
- Emergency First Responder Training
- Medical Resident Training
- Minimally-Invasive Surgical Technology
- Musculoskeletal Enhancements
- Neurosurgery
- Orthopedic Device Technology
- Otolaryngology

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Pain Management
Robotic Cardiac and Thoracic Surgical Training
Sports Medicine Surgeon and Physician Technique Development

The limitation is the facility used, the means to procure, and the care required. The objective is to make it impossible for independent 'body brokers' or 'bad actors' to repeat the butchery and greed reminiscent of the Rathburn and Greene cases.

Even the **State of Oregon**, which recently passed legislation referred to in *Appendix E of Task Force Draft Report*, did not stop a body donation to science from being dissected in a Portland Hotel on October 17, 2021, before a [\\$500 pay-for-view audience](#). We cannot let that happen again in Illinois.

Please review the attached document we signed when we agreed to entrust our daughter to the pseudo-compassionate, conniving Melissa Williams at **BRCIL**. It is riddled with misleading and unacceptable provisions a few of which are illegal according to laws in place at the time according to Representative Dan Brady and William O'Connor (AGA). It is our hope the above recommendations will address past legislative deficiencies.

Recommend a Special Counsel

As emphasized in my *Email to the Task Force* on September 13, 2021, the Federal case against the Greenes is not covered by the **Public Act 102-0096** mandate which created this Task Force but it is why we are here. It is why the victim families have raised their voices and have appeared before this distinguished body to help guide your deliberations. However, there is an elephant in the room that haunts our fears. Even though they are convicted federal felons, the Greenes have never been charged in Illinois. As far as we can tell, they have never been investigated.

The lack of an Illinois investigation into the Greenes by appropriate agencies is mystifying and certainly raises questions. When I was notified by Agent Johnson in 2015, I, along with the families who have spoken before you, placed our trust in a judicial process without realizing our rights were being jeopardized as our loved ones remained in a Detroit FBI evidence freezer for over 6.5 years. Meanwhile, the statute of limitations in Illinois ticked away dashing the hopes of over 196 Illinois families for justice.

Therefore I urge the **Secretary of State** to recommend to the **Governor and General Assembly** that a Special Counsel be appointed to investigate the circumstances surrounding not only the events of 2014/2015 that resulted in the FBI raid on BRCIL and CSI but also the activities of the Greenes going back to 2008 and creation of the **Elm Lawn Donor's Memorial**. The Greenes wrapped themselves and their actions in a cloak of respectability by courting respected partners including **Donate Life**, **Gift of Hope**, and the **ILSOS Donor Program**. The Memorial in question is branded as a **Donate Life** project and attests to how the Greenes confused the public by attaching to a respected **Live Donor** program while trafficking in **Non-Transplant Body Parts**.

While the Greenes have recently agreed in federal court to relinquish their control of the Memorial, it remains to be seen who owns it since I recently learned that **Donate Life** today is under the umbrella of the **ILSOS Donors Program**.

Only an independent Special Counsel can offer transparency without tainting the recognized and respected achievements of our current State Donor Programs that continue to serve both **Live and Non-Transplant Donors** with compassion and dignity.

I hope the above is helpful and contributes to the discussion and outcome.



Sincerely,
John S. Butsch
Father of Alexandria Orba

From: J Butsch <jbutsch@creativeaccess.com>
Sent: Monday, February 7, 2022 2:46 PM
To: Miller, Micah <MMiller@ILSOS.GOV>
Cc: Williams, Amy N <AWilliams3@ILSOS.GOV>; Boatman, Wyconnda <WBoatman@ILSOS.GOV>; dan@rep-danbrady.com; Ssenvanpelt@gmail.com; cmbishop08@yahoo.com; SenatorTracy@adams.net; aaron.beswick@illinois.gov; Dmartin@hrs.ilga.gov; Callum Ross <rossc@uchicago.edu>; jwhite@ilsos.net
Subject: External: Re: Non-Transplant Organ Donor Task Force

Micah and Task Force Members

Below are my comments on the Final Draft provided. Also Micah, can you email me a draft of the November 30th minutes?

#1 **OPENING LETTER**

The ILSOS is uniquely postured to lead the public education on End of Life options precisely because of their successful efforts creating awareness through the Donate Life program and maintenance of the Organ and Tissue Donor registry. It is precisely the lack of such education that has left the public confused, and in the case of BRCIL left them abandoned, when plans for organ and tissue donation could not be performed as hoped and planned. I certainly do not recommend a Non-Transplant donor registry be created. Simple actions such as informative links from the ILSOS web and social media sites can help all Illinoisans make informed End of Life decisions without suffering the deep trauma we, the victim families, continue to endure as a result of the actions by BRCIL.

#2 pg 5: **TASK FORCE PURPOSE** : 393 should be 363

BASIC ASSESSMENT AND RECOMMENDATIONS

#3 pg 10. **APPLICATION AND LICENSING STANDARDS**

I believe a two-tiered fee structure should be considered. Lower fees, such as \$2,500 for recognized Colleges and Universities and/or hospitals with \$5,000 and up for private companies according to their level of activity.

#4 pg10.: **BEST PRACTICES REGARDING CONSENT.**

I did not find a sample form in the Appendix? God is in the details. Dr. Ross, Mr. Beswick, Dan Brady, and Chairwoman Williams have made commendable edits on pg 12. under *Transparency and Dignity to the Next of Kin*. (See Butsch letter to Task Force 11/29/2021 for a sample Consent Form that would be extremely helpful)

#5 pg 11: **IDENTIFICATION AND LABELING OF BODIES AND BODY PARTS.**

As a victim family, I want the dismemberment of all donated bodies into parts to be completely outlawed in Illinois.

#6 pg 12 **AREA OF STATE GOVERNMENT MOST APPROPRIATE FOR REGULATION AND LICENSING**

The *IDPH My Chart* system is the ideal place for Illinoisans to express their End of Life wishes. While I am not in favor of creating a Body Donors Registry, this system ties into the *Epic My Chart* systems used by most hospitals. I definitely see an educational role here by IDPH.

#7 **FINAL RECOMMENDATION:**

The ILSOS should lead the effort to educate and inform the public on End of Life options. To quote Secretary White in 2019 responding to CBS,

"The legislation that we are working on in Springfield ... is a result of your investigation and your reporting of the infraction of individuals slinging body parts for financial gain."

and a subsequent release from the ILSOS states:

Secretary White is honored to chair the newly created Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations. He was shocked to hear of some of the practices in this field that has little regulation. Much needs to be done to reassure the public that these organizations are operating honorably and humanely. Invitations have been sent out to committee members, and we look forward to hearing testimony from all interested parties, especially those people who have been victimized. The Secretary continues to strongly urge people to join the organ donor registry for transplant purposes."

That statement should now be expanded to read;

The Secretary continues to strongly urge people to join the organ donor registry for transplant purposes. We also urge you to follow this link to learn more about End of Life planning and options available to all Illinois residents.

#6 **APPENDIX BUTSCH LETTERS/EMAILS TO TASK FORCE**

At the November 30th final meeting, it was agreed to include not only the victim letters to Judge Borman but also my written correspondence to the Task Force in the *Appendix*. They are not here. Missing communications are dated and were previously provided on 11/29/2021

August 23, 2021

September 13, 2021

November 29, 2021

Finally, this document made no comments on the Elm Lawn *Donate Life Memorial*. The silence on this issue by the ILSOS is alarming.

Regards,

John S Butsch,

Father of Alexandria Orba

BRCIL Donor # 2014211

From: Miller, Micah
Sent: Tuesday, February 8, 2022 11:49 AM
To: 'jbutsch@creativeaccess.com' <jbutsch@creativeaccess.com>
Cc: Williams, Amy N <AWilliams3@ILSOS.GOV>
Subject: Re: Non-Transplant Organ Donor Task Force

Hi John, I'm replying to just you and Chairwoman Williams as communications with all of the members of the task force should occur in a public setting to avoid any conflicts with the Open Meetings Act. You were not alone in noticing SB 363 rather than 393! I'm usually good for a few typos along the way. With regard to #4, both of those referenced appendices are in fact located in the report – I had to double check to make sure they weren't lost in the formatting. For the Elm Lawn memorial, I included your recommendation in your testimony on page 7 and I'm sure there will be ongoing conversations with the office about how to restore integrity to the memorial. For the rest of the items, I'm going to ask Chairwoman Williams for some direction because the input from all stakeholders has been invaluable, but it is my understanding that this report is just the starting point for legislation.

I also attached the draft minutes from November. They haven't been adopted so they are still subject to change, but they will be posted on our website once adopted.

Micah