

Senate Economic Development, Housing and General Affairs
Harry Chen, MD, Commissioner of Health
Natural Burial (H.25) Testimony – April 17, 2015

For the most part, from a public health perspective, there are little to no concerns over the natural burial of individuals. Most viruses and bacteria that cause disease do not survive more than a few hours in human remains. For most diseases, the same precautions -latex gloves, for example - that were taken during the care of an individual apply after death.

In rare circumstances, such as with diseases like Ebola, there could be a concern if a person were to be buried. According to the published literature, “there has been some evidence of microbiological contamination in the immediate vicinity of cemeteries, [but] the rapid attenuation of these microorganisms suggests they pose little risk. Bacteria live for a few months in ideal growing environments. To be safe, it would be appropriate for the Department of Health to adopt rules that would prohibit the natural burial of persons suffering from such diseases. We are pleased to see this has been added to the current version of the bill.

Once buried, removing any potential route of exposure of an individual to the human remains would eliminate any possibility of a public health concern. Therefore, ensuring water sources do not become contaminated by human remains would eliminate any (albeit small) risk to the public. This is the same science that went into the rules and regulations of septic system design and placement. We are pleased siting requirements to wells and groundwater have been added.

Historically, Town Health Officers have been used in some towns to assist people with choosing a burial site in an effort to be sure water sources are protected. These well and groundwater setbacks will now clarify and make it consistent across towns and clarify for people who may not be using their town health officers to become aware of the recommendations. We receive a few technical assistance calls from town health officers each year. They are provided the Secretary of State’s excellent guidance document.

So-called traditional burials are not without health concern. Formaldehyde, one of the solvents in embalming fluid, would be considered by some to be more dangerous than the pathogens which will eventually die. Formaldehyde is a known human carcinogen. Studies have found an increase in cancer such as myeloid leukemia and formaldehyde specifically among funeral industry workers. Embalming is typically not required in Vermont nor is it required to bury a body in a waterproof casket or vault. According to the Vermont Funeral Directors Association, most caskets and vaults are not waterproof and allow air, water and other fluids to move in and out.

In sum, natural burials have been happening in Vermont for some time. The Health Department is not aware of any incidents of public health concern from any of these.

A couple of minor clarifications and possible modifications are as follows:

We'd like to confirm that the partial exemption from § 5310 (Plats) is only to allow for modern methods of mapping and will still require that a body can be found after a burial in a natural burial ground.

Additionally, with individuals not being buried in coffins, the depth of burial of an infant or small child (3 ½ feet vs. 5 feet) might be of concern. Fish and Wildlife might need to be consulted to determine if this depth is enough so as to avoid potentially disturbing and traumatizing events. Our OCME gets involved every time a human body part is found and an investigation pursues. Obviously, we would want to avoid these events which may be more likely if coffins are not used and a proper depth is not employed.

Finally, as it reads now § 5319 (b) requires that the distance to the surface of the ground be measured from the bottom of a coffin. In order to be consistent with intent of the bill, the measurement would need to be changed to the bottom of a body versus a coffin.