

FS No. 013-0523

Release of Amputated Limbs

BACKGROUND. Limb amputations most often occur because of complications associated with diabetes, peripheral arterial disease, and complications from wounds received during traumatic incidents such as vehicular accidents. Amputated limbs are classified as pathological waste and managed as regulated medical waste within the Medical Treatment Facility (MTF). Most amputated limbs are handled by the MTF's Pathology Department as waste material and disposed of according to standard Pathology Department procedures. However, in some instances, the individual and/or their families may request that an amputated limb be returned for burial.

On average, an MTF may receive one or two requests a year for the return of human limbs following surgical procedures for burial ceremonies. These requests are most often based on the religious beliefs of the individual, as some religions and cultures believe that blood and limbs of an individual are considered part of a person, that requires burial at the person's graveside when a limb has been amputated during one's lifetime. Battlefield wounds received during theater operations fall outside the purview of this fact sheet and are handled according to requirements stipulated in DoDI 1300.29, *Mortuary Affairs Program* and other service-specific guidance when applicable.

Numerous issues and liabilities may arise for the MTF when approached with honoring these requests. This fact sheet is not intended to attest if an individual has a legal right to have their limb returned. Rather, it is intended to provide a general guideline for MTFs to follow to protect public health, once approval to release a limb has been appropriately considered and granted, according to MTF and DHA policies. A severed limb poses public health hazards including potential exposure to infectious diseases and chemicals used to preserve the limb. Therefore, amputated limbs will only be released from MTFs to funeral homes that have been designated and/or authorized to receive amputated limbs for burial preferences. Individuals who request possession of their limbs for burial and/or cremation will assume all financial responsibilities related to the transfer, transport, and interment of their limbs.

RELEASE PROCEDURES. Evaluation and coordination for the release of amputated limbs must be conducted in advance of the surgical procedure and incorporated into patient counseling. Physicians should ensure that a disposition plan has been developed by the patient and agreed to by both parties during patient counseling and in advance of the surgical procedure. As part of the disposition plan, the patient may undergo prior screening and/or testing to verify the absence of infectious disease. The disposition plan will include:

- (1) A statement from the patient specifying a request to have the limb buried,
- (2) Identification of the funeral home where the limb will be released, and
- (3) A signed "Release of Amputated Limb and Waiver of Liability" form for release of the limb.

Figure 1 provides an example of the release form to be signed by the patient, physician, and/or MTF authority. The MTF may release the limb to the funeral home designated to receive it only after evaluation, testing, upon negative findings of biohazard by the MTF's Pathology Department or physician, and completion of the MTF release form. Positive findings of a potential biohazard will void the release approval, and the MTF will manage the limb as a pathological medical waste.

The MTF should follow existing procedures utilized by the Pathology Department, Mortuary Affairs Department, and/or Morgue for corpses to arrange for the interment (burial) or disposition of the amputated limb. These procedures may require issuance of a Certificate of Amputation or Certificate of Death for those amputated limbs designated for burial. MTF's Pathology Department should have policy established that governs the release of pathology materials (specimens) to healthcare providers, patients, and/or their authorized representatives, research programs, attorneys, and other parties. These procedures address proper protocols for possession, packaging, labeling, transportation, distribution, and final receipt of identified materials.

MANAGEMENT IN THE MTF. When an individual has been granted approval for return of an amputated limb, the MTF shall ensure the safe management of the limb until such time that it can be released to the funeral home for interment. Amputated limbs are classified as pathological waste and managed as regulated medical waste (RMW) within the MTF. Amputated limbs designated for release to a funeral home are managed as remains and anatomical parts for interment.

The MTF shall ensure that standard operating procedures are implemented for the possession, packaging, labeling, and disposition of the limb according to mortuary guidelines for human remains. Following surgical removal, the limb should be deposited at the point of generation (i.e., operating room) and triple bagged in a leak-proof, puncture resistant, plastic bag-lined receptacle. The plastic bag receptacle shall be sealed (taped) to prevent any spills or leakage of residual material and/or tissue. Only sturdy, tear-resistant, red bags meeting ASTM D1922 and ASTM D1709 standards shall be used. The limb shall be stored in cold storage at the MTF's Pathology Department or Morgue until such time that it is released. The limb must be marked "human remains for interment" to distinguish it from RMW. The amputated limb must be picked up within 72 hours or the limb may be disposed of as RMW according to the MTF's Pathology Department procedures.

TRANSPORTATION REQUIREMENTS. MTF personnel must not transport the limb. A signed "Release of Amputated Limb and Waiver of Liability" form must be provided to the Patient Administration Representative or Mortuary Affairs Officer to coordinate pickup by the funeral home. The funeral home must contact the Patient Administrative Representative and/or the Mortuary Affairs Officer to coordinate pickup by the funeral home. Depending upon state regulations that govern burial and transportation of human remains across state lines, the issuance of a Certificate of Amputation, Certificate of Death, and/or State Transit Permit may need to accompany amputated limbs designated for burial. The MTF shall establish chain-of-custody and complete a transfer form to release custody of the limb to the funeral home. The form shall be dated and signed by MTF personnel and funeral home personnel prior to the release of the limb and a copy shall be provided to the funeral home personnel for transport. The MTF must maintain copies of all forms (transfer/chain of custody form, waiver of liability form) generated separately and/or as part of the patient's medical record. It is the sole responsibility of the individual and/or the individual's family to ensure that the amputated limb is picked up by the funeral home as identified in the signed "Release of Amputated Limb and Waiver of Liability" form. The individual and/or their families assume financial responsibility for all services provided by the funeral home and subsequent interment of limb.

Release of Amputated Limbs and Waiver of Liability

Between

and

(Medical Treatment Facility)

I, _____ (patient), do hereby request and authorize _____ (Medical Treatment Facility) to release the identified extremities/material (amputated limbs) listed below following proper pathological screening. Patient understands that certain medical conditions, known or unknown at the present time and which may be discovered during pathology testing, may preclude the release of the identified extremities/material.

Identified Extremities/Material

1. _____

2. _____

Acceptance of Material/Waiver of Liability

I, _____ (patient), do hereby authorize the material/extremities identified above to be picked up or received by _____ (funeral director). I fully understand that I am financially responsible for payment of all services provided by the funeral director. Upon release of identified extremities/material to the funeral directory, the Medical Treatment Facility is absolved from further responsibility.

By his/her signature below, the recipient hereby agrees to hold the U.S. Federal Government, its entities, and its personnel, harmless for any and all liability/responsibility for damage, injury, and/or loss that may result from the recipient's receipt of the subject extremities/material. The recipient also agrees to assume any and all risks of damage, injury, and/or loss associated with the recipient's receipt of the subject extremities/material. The recipient hereby further waives any and all legal rights recipient may have to pursue civil/criminal claims or litigation against the United States Government, its entities, and/or its personnel related to the recipient's receipt of the subject extremities/material.

Signed _____ (Date) _____
(Patient/Recipient)

Signed _____ (Date) _____
(Medical Treatment Facility/Attending Physician)

Witness _____ (Date) _____

Figure 1. Release of Amputated Limb and Waiver of Liability Form