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Recently, the OAMP was asked by the Ontario Ministry of Government and Consumer Services (MGCS) to provide professional advice on proposed changes to regulations under the Funeral, Burial and Cremations Act. The OAMP Board of Directors appointed Jeff Richer, Secretary of the OAMP Board to act on its behalf.

Present for the teleconference held on September 30, 2019 were representatives from several Ontario Ministries (Government and Consumer Services, Environment, Labour), the Canadian Nuclear Safety Commission (CNSC), Cancer Care Ontario (CCO), the Funeral and Crematorium Operator industry, the Radiation Safety Officers Community of Practice as well as many other government and industry stakeholders and experts. The Ministry tabled options for amending the current regulations towards lifting the prohibition on cremation of patient remains containing permanent radioactive implants.

The OAMP position on the changes to regulations was as follows. First, it was important that the Ministry and industry understood the impact the prohibition had on patient care. There have been patients in Ontario who have declined life-saving permanent radioactive implants to protect their religious freedoms and the right to be cremated.

Second, it was important that they also understood the magnitude of the problem. Most patients who receive permanent radioactive implants for treatment of prostate or breast cancer end up surviving for many years. Given that most permanent radioactive implants involve the use of Iodine-125 or Palladium-103, the amount of radioactivity that remains beyond 2 years is negligible, making the issues of contamination of the cremated remains a moot point. Furthermore, if a patient did happen to expire within 2 years of receiving their implant, not only would this be an extremely rare event (a few patients per year), it still may be possible to safely handle the cremated remains, (particularly in the case of Palladium-103 due to its reduced half-life).

Finally, it was important to note the work already done in this regard by the CNSC who has a published regulatory document (REGDOC-2.7.3) which, through a thorough stakeholder consultation process, provided clear and prescriptive guidance for any regulatory changes.

A second teleconference was held on November 12, 2019 in which the ministry had narrowed down the options for regulatory change to the following:

- Allow a crematorium operator to cremate a dead human body with a radioactive implant if:
  - a) at least two years have passed since the body received the implant or
  - b) it is safe to cremate the body within the two-year timeframe.
- Update the language of the associated disclosure statement required in contracts for cremation services accordingly.

The proposed timeline for this change was January 1, 2020.

The OAMP supported this option in order to move forward as quickly as possible to remove the prohibition.

One remaining challenge with the change to the regulations is how to handle point b) above. The Ministry is convening a small working group to develop a process and the OAMP has asked to be included in this working group.