



Guideline for the release of human tissue

This Guideline supports the *Release of Human Tissue and Explanted Medical Devices Policy*. The Department of Health does not generally support the release of human tissue due to the associated potential public health risks; however, consideration may be given to individual requests, subject to the conditions at 3.2 of the Policy being met.

Scope

In scope:

- request for the release of tissue removed from a patient's body, to that patient, or the requestor

Out of scope:

- tissue or organs intended for donation either during the lifetime of a person or following their death, as regulated by the *Human Tissue and Transplant Act 1982*
- a human fetus or placenta
- teeth, hair and nail tissue

General considerations

Under Western Australian regulation, excised or removed human tissue is dealt with as clinical waste for the purposes of disposal. Health Service Providers have a duty of care to protect public health and the environment in relation to wastes. It is important that the sector ensures that there are no adverse health and environmental consequences of activities associated with waste handling, treatment, and disposal. This extends to the safe disposal of human tissue.

Legislation and regulations covering the release of human tissue

Neither State nor Commonwealth legislation explicitly authorises or prohibits the release of human tissue to a patient or requestor; however, legislation does exist to regulate the manner in which human tissue should be dealt with, including regulation of the:

- advertisement and sale of human tissue. This is an offence under Part V of the *Human Tissue and Transplant Act 1982 (WA)* (HTT Act)
- disposal of excised or removed human tissue, defined as clinical waste, pursuant to the *Clinical and Related Waste Management Policy* and Health Service Provider (HSP) associated local practices

Release of human tissue

General Considerations

Where there may be issues of grief or adjustment, any request made for the release of tissue should be assessed in conjunction with a social worker or counsellor.

If uncertain about the risks of release, the senior health professional may obtain advice from infection prevention and control personnel in their HSP facility.

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