

# University of Ottawa

## Body Donation Program

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Dear Sir/Madam,

You recently inquired about bequeathing your body after death to the Faculty of Medicine at the University of Ottawa for educational and research purposes. Enclosed are the Bequeathal Form and other information describing this program.

I would like to bring to your attention paragraph (8) in the enclosed "Information Sheet - Donation of Body to a School of Anatomy". Possible refusal to accept a donated body is considered very seriously by the University; however, lack of space in our physical facilities, for example, may preclude us from accepting a body. We therefore recommend in your own interest that suitable alternative arrangements be made prior to death. Please also note that a body will not be accepted after an autopsy has been performed.

If you are thinking of bequeathing organs for transplantation, you should be aware that the Faculty of Medicine will accept a body after the eyes have been removed. If you are interested in donating your eyes, please contact the Trillium Gift of Life Network at 1-877-363-8456 or visit their website at [www.beadonor.ca](http://www.beadonor.ca)

A body accepted by the University may be retained for a period which does not usually exceed three years. Upon completion of studies, the remains are cremated at Pinecrest Remembrance Services, 2500 Baseline Road, Ottawa. The ashes may be interred in the University plot which bears a monument at the Pinecrest Cemetery or they may be returned to the next-of-kin for a private ceremony at the expense of the family or estate.

A nondenominational Memorial Service is held by the University of Ottawa each June at the Pinecrest Chapel, honouring all those who have donated their bodies and have been cremated during the previous year. Invitations to the Service are distributed at the beginning of May. If members of the family wish to attend the Memorial Service and/or have the ashes returned to them, they should notify us in writing at the time of death (Please see the attached "Acknowledgment of Instructions" form).

The cost of transportation of the deceased to the University of Ottawa is the responsibility of the family or the estate. Funeral homes might also have other related costs like registering the death to the city, burial permit, etc. These costs will be billed directly from the funeral home. All other expenses related to the use and cremation of the body are borne by the University. If the remains are interred in the University plot, the University will also be responsible for the cost of the interment.

Should you require additional information or clarification, please contact 1-888-221-2993 or E-mail: [anatomy@uottawa.ca](mailto:anatomy@uottawa.ca).

Yours sincerely,



Alireza Jalali, M.D.  
Professor & Head

AJ/cp  
Encl.

# University of Ottawa

## Body Donation Program

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### INFORMATION SHEET – DONATION OF A BODY TO A SCHOOL OF ANATOMY

- (1) Anyone wishing to donate his/her body to a School of Anatomy may do so by completing Part I of the Anatomy Act – Province of Ontario form. This donation is authorized by Section 4 of the Trillium Gift of Life Network Act, a copy of which is attached to this package.
- (2) Part I of the Anatomy Act – Province of Ontario form, should be forwarded to the following address:

**Division of Clinical and Functional Anatomy  
Department for Innovation in Medical Education  
Faculty of Medicine, University of Ottawa  
451 Smyth Rd.  
Ottawa, ON K1H 8M5**

You should retain a copy of The Anatomy Act – Province of Ontario form. An acknowledgement letter will be sent once we have received your documents.

- (3) It is important to ensure that the next-of-kin/executor is made fully aware of the decision to make the donation so that the wishes of the donor can be carried out at the time of death. The time factor is crucial, and the next-of-kin/executor must be in a position to act immediately following the death.
- (4) AT THE TIME OF DEATH THE NEXT-OF-KIN/EXECUTOR OR A REPRESENTATIVE OF A FUNERAL HOME MUST NOTIFY THE SCHOOL OF ANATOMY at the telephone numbers listed:

9 a.m. to 4 p.m.: **1-888-221-2993**

After hours and holidays: **THE FUNERAL HOME OF YOUR CHOICE**

- (5) The next-of-kin or a person lawfully in possession of a body may donate that body to a School of Anatomy by completing Part II of the Anatomy Act – Province of Ontario form. This donation is authorized by Section 5 of the Trillium Gift of Life Network Act, a copy of which is attached. It is important to note that no person may complete Part II if he/she has reason to believe that the person who died or whose death is imminent would object to the proposed use of his/her body. Furthermore, the donation cannot be made where a person of the same or closer relationship to the deceased objects to the proposed use of that body.
- (6) Expenses in connection with the transportation of a body to a School of Anatomy are **NOT** covered by the School of Anatomy. These costs are the responsibility of the next-of-kin/executor or the estate.
- (7) Notification of cremation will be sent to the next-of-kin/executor **only** if requested at the time of donation. Those who wish to claim the cremated remains for a private burial must notify the School of Anatomy in writing at the time of death (see Acknowledgement of Instructions form). The expenses of a private burial will **NOT** be covered by the School of Anatomy.

- (8) WHILE NORMALLY EACH BODY DONATED TO A SCHOOL WILL BE ACCEPTED, THE SCHOOL OF ANATOMY MAY BE UNABLE TO ACCEPT A BODY, DEPENDING ON THEIR REQUIREMENTS AT THE TIME OF DEATH. PLEASE SEE THE BOOKLET INCLUDED IN THIS PACKAGE WITH A LIST OF SOME POSSIBLE CAUSES FOR REFUSAL.
  
- (9) The donation of a body to a School of Anatomy is a tangible expression of support for medical education and scientific research. It will assist in the prevention of future deaths and in the relief of the suffering of others. It is a donation for which the medical profession and the public are truly grateful.

### SECTION 4 OF THE TRILLIUM GIFT OF LIFE NETWORK ACT

#### **Consent by person for use of his or her body after death**

4. (1) Any person who has attained the age of sixteen years may consent,
- (a) in a writing signed by the person at any time; or
  - (b) orally in the presence of a least two witnesses during the person's last illness, that the person's body or the part or parts thereof specified in the consent be used after the person's death for therapeutic purposes, medical education or scientific research. R.S.O. 1990, c. H.20, s. 4 (1).

#### **Where donor under age**

- (2) Despite subsection (1), a consent given by a person who had not attained the age of sixteen years is valid for the purposes of this Act if the person who acted upon it had no reason to believe that the person who gave it had not attained the age of sixteen years. R.S.O. 1990, c. H.20, s. 4 (2).

#### **Consent is full authority, exception**

- (3) Upon the death of a person who has given a consent under this section, the consent is binding and is full authority for the use of the body or the removal and use of the specified part or parts for the purpose specified, except that no person shall act upon a consent given under this section if the person has reason to believe that it was subsequently withdrawn. R.S.O. 1990, c. H.20, s. 4 (3).

#### **Consent by other persons**

5. (1) In this section,
- same-sex partner means a person of the same sex with whom the person is living or, immediately before the person's death, was living, in a conjugal relationship outside marriage, if the two persons,
- (a) have cohabited for at least one year,
  - (b) are together the parents of a child, or
  - (c) have together entered into a cohabitation agreement under section 53 of the Family Law Act; (partenaire de même sexe)

spouse means a person of the opposite sex,

- (a) to whom the person is married, or
- (b) with whom the person is living or, immediately before the person's death, was living in a conjugal relationship outside marriage, if the two persons,
  - i. have cohabited for at least one year,
  - ii. are together the parents of a child, or
  - iii. have together entered into a cohabitation agreement under section 53 of the Family Law Act. (conjoint) R.S.O. 1990, c. H.20, s. 5 (1); 1999, c. 6, s. 29 (1).

### **Consent by spouse, etc., for use of body after death**

(2) Where a person who has not given or cannot give a consent under section 4 dies, or in the opinion of a physician is incapable of giving a consent by reason of injury or disease and the person's death is imminent,

- (a) the person's spouse or same-sex partner; or
- (b) if none or if the spouse or same-sex partner is not readily available, any one of the person's children; or
- (c) if none or if none is readily available, either one of the person's parents; or
- (e) if none or if none is readily available, any other of the person's next of kin; or
- (f) if none or if none is readily available, the person lawfully in possession of the body other than, where the person died in hospital, the administrative head of the hospital, may consent,
- (g) in a writing signed by the spouse, same-sex partner, relative or other person; or
- (h) orally by the spouse, same-sex partner, relative or other person in the presence of at least two witnesses; or
- (i) by the telegraphic, recorded telephonic, or other recorded message of the spouse, same-sex partner, relative or other person, to the body or the part or parts thereof specified in the consent being used after death for therapeutic purposes, medical education or scientific research. R.S.O. 1990, c. H.20, s. 5 (2); 1999, c. 6, s. 29 (2).

### **Prohibition**

(3) No person shall give a consent under this section if the person has reason to believe that the person who died or whose death is imminent would have objected. R.S.O. 1990, c. H.20, s. 5 (3).

### **Consent is full authority, exceptions**

(4) Upon the death of a person in respect of whom a consent was given under this section the consent is binding and is, subject to section 6, full authority for the use of the body or for the removal and use of the specified part or parts for the purpose specified except that no person shall act on a consent given under this section if the person has actual knowledge of an objection thereto by the person in respect of whom the consent was given or by a person of the same or closer relationship to the person in respect of whom the consent was given than the person who gave the consent. R.S.O. 1990, c. H.20, s. 5 (4).

**Note: Effective November 1, 2004, section 5 is amended by the Statutes of Ontario, 2004, chapter 3, Schedule A, subsection 98 (2) by adding the following subsection:**

### **Consent is full authority, personal information**

(4.1) The authority to give consent under this section includes the authority to consent to the collection, use or disclosure of personal information that is necessary for, or ancillary to, a decision about the gift. 2004, c. 3, Sched. A, s. 98 (2).

**See: 2004, c. 3, Sched. A, ss. 98 (2), 99 (2).**

## SECTION 5 OF THE TRILLIUM GIFT OF LIFE NETWORK ACT

### **Person lawfully in possession of body, exceptions**

(5) In subsection (2), person lawfully in possession of the body does not include,

- (a) the Chief Coroner or a coroner in possession of the body for the purposes of the Coroners Act;
- (b) the Public Trustee in possession of the body for the purpose of its burial under the Crown Administration of Estates Act;
- (c) an embalmer or funeral director in possession of the body for the purpose of its burial, cremation or other disposition; or
- (d) the superintendent of a crematorium in possession of the body for the purpose of its cremation. R.S.O. 1990, c. H.20, s. 5 (5).