

Cremation Issue Chart

KANSAS



ISSUE: IDENTIFICATION OF DECEASED			
Law/Regulation	Is ID Required?	Information Required for ID	Any Restrictions/Limitations
65-1762. Supervision; crematory operator license requirement; cremation requirements; authorization form and coroner's permit.	Yes	<p>c) No crematory operator or crematory operator in charge shall cremate or cause to be cremated any dead human body until it has received:</p> <p>(1) A cremation authorization form signed by an authorizing agent. The written authorization shall include:</p> <p>(A) The identity of the dead human body and the time and date of death;</p> <p>(B) the name of the funeral director or assistant funeral director and the funeral establishment or branch establishment, or the authorizing agent, that obtained the cremation authorization;</p> <p>(C) notification as to whether the cause of death occurred from a disease declared by the department of health and environment to be infectious, contagious, communicable or dangerous to the public health;</p> <p>(D) the name of the authorizing agent and the relationship between the authorizing agent and the decedent;</p> <p>(E) authorization for the crematory to cremate the dead human body;</p>	
ISSUE: ALTERNATIVE CONTAINER FOR CREMATION			
Law/Regulation	Is It Required?	Definition of Alternative Container	
65-1760. Definitions.	Yes	<p>(a) "Alternative container" means a receptacle, other than a casket, in which dead human bodies are transported to the crematory and placed in the cremation chamber for cremation. An alternative container shall be (1) composed of readily combustible or consumable materials suitable for cremation, (2) able to be closed in order to provide a complete covering for the dead human bodies, (3) resistant to leakage or spillage, (4) rigid enough for handling with ease, and (5) able to provide protection for the health, safety and personal integrity of crematory personnel.</p>	

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ISSUE: URN		
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container
65-1760. Definitions.	Yes	(o) "Temporary container" means a receptacle for cremated remains, usually composed of cardboard, plastic or similar material, that can be closed in a manner that prevents the leakage or spillage of the cremated remains or the entrance of foreign material, and is a single container of sufficient size to hold the cremated remains. (p) "Urn" means a receptacle designed to encase the cremated remains.
ISSUE: AUTHORIZING AGENT		
Law/Regulation	Legal Order of Authorizing Agent	
65-1734. Order of priority of persons authorized to dispose of decedent's remains; immunity of funeral directors, funeral establishments and crematories.	(a) The following persons, in order of priority stated, may order any lawful manner of final disposition of a decedent's remains including burial, cremation, entombment or anatomical donation: (1) The agent for health care decisions established by a durable power of attorney for health care decisions pursuant to K.S.A. 58-625 et seq., and amendments thereto, if such power of attorney conveys to the agent the authority to make decisions concerning disposition of the decedent's remains; (2) the spouse of the decedent; (3) the decedent's surviving adult children. If there is more than one adult child, any adult child who confirms in writing the notification of all other adult children, may direct the manner of disposition unless the funeral establishment or crematory authority receives written objection to the manner of disposition from another adult child; (4) the decedent's surviving parents; (5) the persons in the next degree of kinship under the laws of descent and distribution to inherit the estate of the decedent. If there is more than one person of the same degree, any person of that degree may direct the manner of disposition; (6) a guardian of the person of the decedent at the time of such person's death; (7) the personal representative of the decedent; or (8) in the case of indigents or any other individuals whose final disposition is the responsibility of the state or county, the public official charged with arranging the final disposition pursuant to K.S.A. 22a-215, and amendments thereto.	
ISSUE: FINAL DISPOSITION		
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements	
N/A		