

Cremation Issue Chart

KENTUCKY



ISSUE: IDENTIFICATION OF DECEASED			
Law/Regulation	Is ID Required?	Information Required for ID	Any Restrictions/Limitations
KRS 367.97507 Identification requirements.	Yes	(1) Materials identifying the human remains placed in the custody of a crematory authority shall contain the following information: (a) Name of decedent; (b) Date and time of death; (c) Place of death; (d) Name and relationship of authorizing agent; (e) Name of person engaging crematory services; and (f) Signature of the person making the identification. (2) Appropriate identification shall be placed upon the exterior of the cremation container.	
ISSUE: ALTERNATIVE CONTAINER FOR CREMATION			
Law/Regulation	Is It Required?	Definition of Alternative Container	
N/A			
ISSUE: URN			
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container	
KRS 367.97501 Definitions		(19) "Temporary container" means a receptacle for cremated remains, usually made of plastic, cardboard, ceramics, plastic film, wood, or metal, designed to prevent the leakage of processed remains or the entrance of foreign materials which will hold the cremated remains until an urn or other permanent container is acquired.	

Cremation Issue Chart

KENTUCKY



ISSUE: AUTHORIZING AGENT	
Law/Regulation	Legal Order of Authorizing Agent
Kentucky Statutes 367.93117 v2 – Persons with authority to make funeral, burial, or other ceremonial arrangements after an individual's death.	<p>The right to control the disposition of a decedent's body, make arrangements for funeral services, make arrangements for burial, and to make other ceremonial arrangements after an individual's death devolves on the following in the priority listed:</p> <p>(1) A person:</p> <p>(a) Named as the designee or alternate designee in a declaration executed by the decedent under KRS 367.93101 to 367.93121; or</p> <p>(b) Named in a United States Department of Defense form "Record of Emergency Data" (DD Form 93) or a successor form adopted by the United States Department of Defense if the decedent died while serving in any branch of the United States Armed Forces, pursuant to KRS 36.440;</p> <p>(2) The decedent's surviving spouse;</p> <p>(3) A surviving adult child of the decedent or, if more than one (1) adult child is surviving, the majority of the adult children. Less than half of the surviving adult children have the right to control disposition under this section if the child or children have used reasonable efforts to notify the other surviving adult children of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the surviving adult children and this has been attested to in writing;</p> <p>(4) The surviving parent or parents of the decedent. If one (1) of the parents is absent, the parent who is present has the right to control disposition under this section if the parent who is present has used reasonable efforts to notify the absent parent and attests to that in writing;</p> <p>(5) The surviving adult grandchild of the decedent or, if more than one (1) adult grandchild is surviving, the majority of the adult grandchildren. Less than half of the surviving adult grandchildren have the right to control disposition under this section if the grandchild or grandchildren have used reasonable efforts to notify the other surviving adult grandchildren of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the surviving adult grandchildren and this has been attested to in writing;</p> <p>(6) The decedent's surviving adult sibling or, if more than one (1) adult sibling is surviving, the majority of the adult siblings. Less than half of the surviving adult siblings have the right to control disposition under this section if the sibling or siblings have used reasonable efforts to notify the other surviving adult siblings of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the surviving adult siblings and this has been attested to in writing;</p> <p>(7) An individual in the next degree of kinship under KRS 391.010 to inherit the estate of the decedent or, if more than one (1) individual of the same degree is surviving, the majority of those who are of the same degree of kinship. Less than half of the individuals who are of the same degree of kinship have the right to control disposition under this section if they used reasonable efforts to notify the other individuals who are of the same degree of kinship of their intentions and are not aware of any opposition to the final disposition instructions by more than half of the individuals who are of the same degree of kinship and this has been attested to in writing; or</p> <p>(8) If none of the persons described in subsections (1) to (7) of this section are available, any other person willing to act and arrange for the final disposition of the decedent's remains, including a funeral home, that:</p> <p>(a) Has a valid prepaid funeral plan that makes arrangements for the disposition of the decedent's remains; and</p> <p>(b) Attests in writing that a good-faith effort has been made to contact any living individuals described in subsections (1) to (7) of this section.</p>

Cremation Issue Chart

KENTUCKY



ISSUE: FINAL DISPOSITION	
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements
367.97517 Disposition of cremated remains.	<p>(1) Upon completion of the cremation, all residual of the cremation process shall be removed insofar as is possible, from the cremation chamber. The residual shall be placed within a container or tray that will ensure against commingling with other cremated remains; and the identification removed from the control panel area and attached to the container or tray to await final processing.</p> <p>(2) The residual shall be manually cleaned of identifiable foreign objects, other than those used for identification, or as may be requested by the authorizing agent. The residual of the cremation process may undergo pulverization as a part of final processing.</p> <p>(3) All body prosthesis, bridgework, or similar items removed from the cremated remains shall be disposed of by the crematory authority unless authority to do otherwise is specifically granted in writing.</p>