

Cremation Issue Chart

MARYLAND



ISSUE: IDENTIFICATION OF DECEASED			
Law/Regulation	Is ID Required?	Information Required for ID	Any Restrictions/Limitations
§§7-101, 7-102, and 7-205, Annotated Code of Maryland .02 Removal, Identification, and Transportation of Human Remains.	Yes	<p>C. Materials identifying the human remains that are placed in the custody of a permit holder shall contain the following information about the decedent:</p> <ul style="list-style-type: none"> (1) Name; (2) Date of birth; (3) Date of death; (4) Name of funeral establishment or authorizing agent; (5) Gender; and (6) Name and relationship of authorizing agent to deceased. <p>D. A permit holder may not accept for cremation unidentified human remains.</p>	
ISSUE: ALTERNATIVE CONTAINER FOR CREMATION			
Law/Regulation	Is It Required?	Definition of Alternative Container	
§§7-101, 7-102, and 7-205 .03 Cremation Containers.	Yes	<p>A cremation container:</p> <ul style="list-style-type: none"> A. Shall be a readily combustible, rigid container suitable for cremation; B. Shall provide a completely enclosed covering for the human remains; C. Shall be resistant to leakage or spillage; D. Shall be of sufficient strength and rigidity for ease of handling; E. Shall provide protection to the health and safety of crematory establishment personnel and the public; F. Shall comply with all local, State, and federal governmental emissions regulations; G. May not be composed of metal or polyethylene material; and H. If it appears to be heavily coated with varnish, lacquer, or any other highly combustible substance, shall be: <ul style="list-style-type: none"> (1) Placed in a cold cremator; or (2) Coated completely with water before being placed in the crematory 	

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ISSUE: URN		
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container
§7-101, 7-102, and 7-205, Annotated Code of Maryland .02 Definitions	No	(21) "Sealable container" means a container in which cremated human remains can be placed and sealed so as to prevent leakage or the entrance of foreign materials.
ISSUE: AUTHORIZING AGENT		
Law/Regulation	Legal Order of Authorizing Agent	
Section 7-410 - Decisions concerning disposition of body	<p>(a) Individual's own body.- Any individual who is 18 years of age or older may decide the disposition of the individual's own body after the individual's death without the pre-death or post-death consent of another person by executing a document that expresses the individual's wishes or by entering into a pre-need contract.</p> <p>(b) Validity of executed document.- In order to be valid, any document executed under subsection (a) of this section must be written and signed by the individual in the presence of a witness, who, in turn, shall sign the document in the presence of the individual.</p> <p>(c) Priority in arranging for disposition of body of another.- Unless a person has knowledge that contrary directions have been given by the decedent, if a decedent has not executed a document under subsection (a) of this section, the following persons, in the order of priority stated, have the right to arrange for the final disposition of the body of the decedent under this section and are liable for the reasonable costs of preparation, care, and disposition of the decedent:</p> <p>(1) The surviving spouse or domestic partner, as defined in § 1-101 of the Health - General Article, of the decedent;</p> <p>(2) An adult child of the decedent;</p> <p>(3) A parent of the decedent;</p> <p>(4) An adult brother or sister of the decedent;</p> <p>(5) A person acting as a representative of the decedent under a signed authorization of the decedent;</p> <p>(6) The guardian of the person of the decedent at the time of the decedent's death, if a guardian has been appointed; or</p> <p>(7) In the absence of any person under items (1) through (6) of this subsection, any other person willing to assume the responsibility to act as the authorizing agent for purposes of arranging the final disposition of the decedent's body, including the personal representative of the decedent's estate, after attesting in writing that a good faith effort has been made to no avail to contact the persons described in items (1) through (6) of this subsection.</p>	

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ISSUE: FINAL DISPOSITION	
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements
Code of Maryland Sec. 09.34.08.10 Disposition of Cremated Human Remains.	<p>.10 Disposition of Cremated Human Remains.</p> <p>A. On completion of the cremation, insofar as is possible:</p> <p>(1) All of the recoverable residue of the cremation process shall be:</p> <p>(a) Removed from the cremator;</p> <p>(b) Except for medical devices remaining after cremation, processed; and</p> <p>(c) Placed in a container; and</p> <p>(2) The identification disc required by Health Occupations Article, §7-411, Annotated Code of Maryland, shall be:</p> <p>(a) Removed from the cremator; and</p> <p>(b) Placed in the container with the cremated human remains.</p> <p>B. Medical devices which remain after the completion of the cremation process shall be treated as medical waste and disposed of accordingly.</p> <p>C. After pulverization, all of the processed human remains, together with the identification disc, shall be placed in a sealable container.</p> <p>D. If the cremation container opening is not of adequate dimensions to accommodate a disc, it shall be affixed to the container and a record of the cremation number shall be placed in the container.</p> <p>E. If all of the processed human remains and the identification disc will not fit within the dimensions of a sealable container, the remainder of the remains shall be returned to the authorizing agent, or the agent's representative, in a separate, sealable container. Container seams shall be taped.</p> <p>F. If the processed human remains and identification disc do not adequately fill the container's interior dimensions, the extra space may be filled with packing material that will not become intermingled with the remains and then securely closed.</p> <p>G. If a sealable container is to be shipped, it shall:</p> <p>(1) Be placed within a separate sturdy box with all box seams securely taped closed; and</p> <p>(2) Have the name of the deceased person whose processed remains are contained therein clearly identified on the outside of the container.</p>