

Cremation Issue Chart

MISSISSIPPI



ISSUE: IDENTIFICATION OF DECEASED			
Law/Regulation	Is ID Required?	Information Required for ID	Any Restrictions/Limitations
MS Code Sect. 73-11-58.	Yes	(4) The licensed funeral establishment or licensee responsible for the embalming or cremation of the dead human body shall create a written record of an oral consent given under this section that includes all of the following: (a) The name of the authorizing agent; (b) The relation of the authorizing agent to the deceased; (c) The date and time that consent was given; (d) The name of the person who obtained the consent; and (e) Any other information required by the board.	
ISSUE: ALTERNATIVE CONTAINER FOR CREMATION			
Law/Regulation	Is It Required?	Definition of Alternative Container	
MS Code Sect. 73-11-41 (a)		(a) "Alternative container" is an unfinished wood box or other nonmetal receptacle or enclosure, without ornamentation or a fixed interior lining, which is designed for the encasement of human remains and which is made of fiberboard, pressed wood, composition materials (with or without an outside covering) or like materials.	
ISSUE: URN			
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container	
N/A			

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ISSUE: AUTHORIZING AGENT	
Law/Regulation	Legal Order of Authorizing Agent
MS Code § 73-11-58. Procedure for disposition of decedent's body where no written authorization was left by decedent	<p>(1) If a decedent has left no written authorization for the cremation and/or disposition of the decedent's body as permitted by law, any of the following persons, in the order of priority listed below, may authorize any lawful manner of disposition of the decedent's body by completion of a written instrument:</p> <p>(a) The person designated by the decedent as authorized to direct disposition pursuant to Public Law No. 109-163, Section 564, as listed on the decedent's United States Department of Defense Record of Emergency Data, DD Form 93, or its successor form, if the decedent died during military service, as provided in 10 USC Section 1481(a)(1) through (8), in any branch of the United States Armed Forces, United States Reserve Forces or National Guard.</p> <p>(b) The surviving spouse.</p> <p>(c) A surviving child who is at least eighteen (18) years of age.</p> <p>(d) A grandchild who is at least eighteen (18) years of age.</p> <p>(e) Either surviving parent.</p> <p>(f) A surviving sibling who is at least eighteen (18) years of age.</p> <p>(g) A person acting as a representative of the decedent under a signed authorization of the decedent.</p> <p>(h) The guardian of the person of the decedent at the time of the decedent's death, if a guardian has been appointed. Miss. Code § 73-11-58 Procedure for disposition of decedent's body where no written authorization was left by decedent.</p>
ISSUE: FINAL DISPOSITION	
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements
N/A	