

Cremation Issue Chart

NORTH DAKOTA



ISSUE: IDENTIFICATION OF DECEASED			
Law/Regulation	Is ID Required?	Information Required for ID	Any Restrictions/Limitations
25-05-01-09.1. Identification of body.	Yes	All licensed crematories must develop, implement, and maintain an identification procedure whereby dead human bodies can be identified from the time the crematorium accepts delivery of the remains until the cremated remains are released to an authorized party. Before cremation, an identifying disk, tab, or other permanent label must be placed within the cremated remains container before the cremated remains are released from the crematory. Each identification disk, tab, or label must have a number that must be recorded on all paperwork regarding the decedent. This procedure must be designed to reasonably ensure that the proper body is cremated and that the cremated remains are returned to the appropriate party.	
ISSUE: ALTERNATIVE CONTAINER FOR CREMATION			
Law/Regulation	Is It Required?	Definition of Alternative Container	
4717.20 Cremation definitions.	Yes	<p>(A) "Alternative container" means a receptacle, other than a casket, in which a dead human body or body parts are transported to a crematory facility and placed in the cremation chamber for cremation, and that meets all of the following requirements:</p> <p>(1) Is composed of readily combustible materials that are suitable for cremation;</p> <p>(2) May be closed in order to provide a complete covering for the dead human body or body parts;</p> <p>(3) Is resistant to leakage or spillage;</p> <p>(4) Is sufficiently rigid to be handled readily;</p> <p>(5) Provides protection for the health and safety of crematory personnel. Ohio Rev. Code 4717.20 Cremation definitions.</p>	

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ISSUE: URN		
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container
N/A		
ISSUE: AUTHORIZING AGENT		
Law/Regulation	Legal Order of Authorizing Agent	
23-06-03. Duty of final disposition - Indigent burial - Decedent's instructions.	<p>1. The duty of disposition of the body of a deceased individual devolves upon the following individual in the order of priority: Any legally competent adult given the duty of final disposition by the deceased individual in a statement conforming with section 23-06-31, except the legally competent adult specified in the statement conforming with section 23-06-31 may decline the duty of final disposition unless the individual would otherwise have the duty of final disposition under this section;</p> <p>The surviving spouse if the deceased was married; If the deceased was not married but left kindred, upon the majority of the adult children of the decedent; however, in the absence of actual knowledge to the contrary, a funeral director or mortician may rely on instructions given by the child who represents to be the sole surviving child or the children who represent to constitute a majority of the surviving children; The surviving parent or parents of the decedent, each having equal authority; The adult sibling or the majority of the adult siblings of the decedent; however, in the absence of actual knowledge to the contrary, a funeral director or mortician may rely on instructions given by the sibling who represents to be the sole surviving sibling or the siblings who represent to constitute a majority of the surviving siblings; The adult grandchild or the majority of the adult grandchildren of the decedent; however, in the absence of actual knowledge to the contrary, a funeral director or mortician may rely on instructions given by a grandchild who represents to be the only grandchild reasonably available to control final disposition of the decedent's remains or the grandchildren who represent to constitute a majority of grandchildren reasonably available to control final disposition of the decedent's remains; The grandparent or the grandparents of the decedent, each having equal authority; The adult nieces and nephews of the decedent or a majority of the adult nieces and nephews; however, in the absence of actual knowledge to the contrary, a funeral director or mortician may rely on instructions given by a niece or nephew, who represents to be the only niece or nephew reasonably available to control final disposition of the decedent's remains or the nieces and nephews who represent to constitute a majority of the nieces and nephews reasonably available to control final disposition of the decedent's remains;</p>	

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ISSUE: FINAL DISPOSITION	
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements
33-05-01-06. Cremation.	<p>25-05-01-07. Cremation requirements.</p> <p>2. If cremated remains are to be shipped by a common carrier, they must be shipped only by a method which uses an internal tracking system. Cremated remains shall be shipped to the address as stated on the cremation authorization form signed by the authorizing agent.</p> <p>3. Cremated remains to be shipped must be packed in a method which complies with United States postal service requirements for packaging and shipping cremated remains, including USPS publication 139</p>