

Cremation Issue Chart

NEW MEXICO



ISSUE: IDENTIFICATION OF DECEASED			
Law/Regulation	Is ID Required?	Information Required for ID	Any Restrictions/Limitations
N/A			
ISSUE: ALTERNATIVE CONTAINER FOR CREMATION			
Law/Regulation	Is It Required?	Definition of Alternative Container	
16.64.10.8 CREMATION PRACTICES:	Yes	1) A cremation container is considered acceptable if it meets or exceeds the following minimum standards: (a) is composed of a suitable combustible material; (b) is rigid and secure for handling with ease, which includes a rigid bottom and full dome (c) provides for complete covering of the enclosed dead human body; and (2) A cremation container is considered unacceptable if it is composed of any explosive material or such other material as fiberglass, plastic resin compound, or other synthetic material not suitable for combustion in a cremation retort.	
ISSUE: URN			
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container	
16.64.10.7 DEFINITIONS:		F. "Urn" means a cremains container considered to be decorative, that varies in size, styling and composition.	

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ISSUE: AUTHORIZING AGENT	
Law/Regulation	Legal Order of Authorizing Agent
61-32-19. Cremation; requirements; right to authorize cremation; disposition of cremains.	<p>if a decedent has left no written instructions regarding the disposition of the decedent's remains, the following persons in the order listed shall determine the means of disposition, not to be limited to cremation, of the remains of the decedent:</p> <p>(1) the surviving spouse;</p> <p>(2) a majority of the surviving adult children of the decedent; (3) the surviving parents of the decedent;</p> <p>(4) a majority of the surviving siblings of the decedent;</p> <p>(5) an adult person who has exhibited special care and concern for the decedent, who is aware of the decedent's views and desires regarding the disposition of the decedent's body and who is willing and able to make a decision about the disposition of the decedent's body; or</p> <p>(6) the adult person of the next degree of kinship in the order named by New Mexico law to inherit the estate of the decedent.</p> <p>G. If a decedent left no written instructions regarding the disposition of the decedent's remains, died while serving in any branch of the United States armed forces, the United States reserve forces or the national guard and completed a United States department of defense record of emergency data form or its successor form, the person authorized by the decedent to determine the means of disposition on a United States department of defense record of emergency data form shall determine the means of disposition, not to be limited to cremation.</p>
ISSUE: FINAL DISPOSITION	
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements
N/A	