

Cremation Issue Chart

OHIO



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	
ORC 4717.20		<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>	
ISSUE: URN			
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container	
ORC 4717.20		<p>(F) "Temporary container" means a receptacle for cremated remains composed of cardboard, plastic, metal, or another material that can be closed in a manner that prevents the leakage or spillage of the cremated remains and the entrance of foreign material, and that is of sufficient size to hold the cremated remains until they are placed in an urn or scattered.</p> <p>(G) "Urn" means a receptacle designed to encase cremated remains permanently. Ohio Rev. Code 4717.20 Cremation definitions.</p>	

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ISSUE: AUTHORIZING AGENT	
Law/Regulation	Legal Order of Authorizing Agent
2108.81 Right of disposition - no declaration of assignment.	<p>(A) If either of the following is true, division (B) of this section shall apply:</p> <p>(1) An adult has not executed a written declaration pursuant to sections 2108.70 to 2108.73 of the Revised Code that remains in force at the time of the adult's death.</p> <p>(2) Each person to whom the right of disposition has been assigned or reassigned pursuant to a written declaration is disqualified from exercising the right as described in section 2108.75 of the Revised Code.</p> <p>(B) Subject to division (A) of this section and sections 2108.75 and 2108.79 of the Revised Code, the right of disposition is assigned to the following persons, if mentally competent adults who can be located with reasonable effort, in the order of priority stated:</p> <p>(1) The deceased person's surviving spouse;</p> <p>(2) The sole surviving child of the deceased person or, if there is more than one surviving child, all of the surviving children, collectively;</p> <p>(3) The deceased person's surviving parent or parents;</p> <p>(4) The deceased person's surviving sibling, whether of the whole or of the half blood or, if there is more than one sibling of the whole or of the half blood, all of the surviving siblings, collectively;</p> <p>(5) The deceased person's surviving grandparent or grandparents;</p> <p>(6) The deceased person's surviving grandchild, or if there is more than one surviving grandchild, all of the surviving grandchildren collectively;</p> <p>(7) The lineal descendants of the deceased person's grandparents, as described in division (I) of section 2105.06 of the Revised Code;</p> <p>(8) The person who was the deceased person's guardian at the time of the deceased person's death, if a guardian had been appointed;</p> <p>Ohio Rev. Code 2108.81 Right of disposition - no declaration of assignment.</p>

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ISSUE: FINAL DISPOSITION	
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements
4717.27 Disposing of cremated remains.	<p>(A) The authorizing agent who executed the cremation authorization form authorizing the cremation of a decedent under section 4717.24 of the Revised Code or the cremation of body parts under section 4717.25 of the Revised Code is ultimately responsible for the final disposition of the cremated remains of the decedent or body parts.</p> <p>(B) If the cremation authorization form does not contain instructions for the final disposition of the cremated remains of the decedent or body parts, if no arrangements for the disposition of the cremated remains are made within thirty days after the completion of the cremation, and if the cremated remains have not been picked up within that thirty-day period by the person designated to receive them on the authorization form or, in the absence of such a designated person, by the authorizing agent, the crematory facility or the funeral home holding the unclaimed cremated remains, at the end of that thirty-day period, may release or deliver them in person to, or cause their delivery by a method described in division (I) of section 4717.26 of the Revised Code that is acceptable under that division to, the person designated to receive them on the cremation authorization form or, if no person has been so designated, to the authorizing agent.</p> <p>(C)</p> <p>(1) If the cremation authorization form does not contain instructions for the final disposition of the cremated remains of the decedent or body parts, if no arrangements for the final disposition of the cremated remains are made within sixty days after the completion of the cremation, and if the cremated remains have not been picked up by the person designated on the authorization form to receive them or, in the absence of such a designated person, by the authorizing agent, the crematory facility or the funeral home holding the unclaimed cremated remains may dispose of the cremated remains in a grave, crypt, or niche, by scattering them in any dignified manner, including in a memorial garden, at sea, by air, or at any scattering grounds described in section 1721.21 of the Revised Code, or in any other lawful manner, at any time after the end of that sixty-day period.</p>