

Cremation Issue Chart

RHODE ISLAND



ISSUE: IDENTIFICATION OF DECEASED			
Law/Regulation	Is ID Required?	Information Required for ID	Any Restrictions/Limitations
(R5-33.2-EMB) Section 18.0 General Operational Requirements Practice of Cremation	Yes	18.4 Every crematory shall establish an internal system of identification of human remains received for cremation. This system shall be designed to track the identity of the remains from the time of receipt until completion of the cremation and delivery of the cremated remains to the authorized person(s) or until otherwise disposed of in accordance with the instructions from the authorized agent(s) or in accordance with these rules and regulations once the cremated remains have been abandoned.	
ISSUE: ALTERNATIVE CONTAINER FOR CREMATION			
Law/Regulation	Is It Required?	Definition of Alternative Container	
(R5-33.2-EMB) PART I Definitions and Licensing Procedures Section 1.0 Definitions	Yes	1.1 "Alternative container" means a receptacle, other than a casket, in which human remains are transported to the crematory and placed in the cremation chamber for cremation. An alternative container shall be: (1) composed of readily combustible materials suitable for cremation; (2) able to be closed in order to provide a complete covering for the human remains that is resistant to leakage or spillage; (3) rigid enough for handling with ease; and (4) able to provide protection for the health, safety, and personal integrity of crematory personnel.	
ISSUE: URN			
Law/Regulation	Any requirements for Urn/ Temporary Container	Definition of Urn/Temporary Container	
(R5-33.2-EMB) PART I Definitions and Licensing Procedures Section 1.0 Definitions	Yes	1.32 “Temporary container” means a temporary container that is a receptacle for cremated remains usually made of cardboard, plastic, or similar material designed to hold the cremated remains until an urn or other permanent container is acquired. 1.33 “Urn” means a receptacle designed to permanently encase the cremated remains.	

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ISSUE: AUTHORIZING AGENT	
Law/Regulation	Legal Order of Authorizing Agent

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<p>§ 5-33.2-24. Proper authority for funeral arrangements and disposition of human remains.</p>	<p>(2) To the extent that there is no funeral services contract in effect at the time of death for the benefit of the deceased person, indicating the wishes of the deceased person with respect to the nature of the funeral goods and services to be provided, the manner in which funeral services are to be conducted, or the final disposition of the deceased person's remains, then the funeral establishment and its agents or employees shall follow the directions of the deceased person's survivors in the following order of priority:</p> <ul style="list-style-type: none"> (i) An agent designated pursuant to chapter 33.3 of this title, if any; (ii) The surviving spouse or domestic partner of the deceased; (iii) The surviving adult children of the deceased; (iv) The surviving parent(s) of the deceased over the age of eighteen (18), or, if the deceased is a minor, and there is a custody order relative to that child, the custodial parent, after he or she signs an affidavit attesting that he or she does not know the whereabouts of the other parent; (v) The surviving brother(s) or sister(s) of the deceased; (vi) The surviving adult grandchildren of the deceased; (vii) The surviving adult niece(s) or nephew(s) of the deceased; (viii) The guardian of the person of the deceased at the time of his or her death. <p>(3) All licensed funeral directors/embalmers, licensed funeral establishments, licensed crematories, cemeteries, and all their agents and employees shall be held harmless, and shall not be subject to civil suit, either as individual(s), partnership(s), or corporation(s) for complying with the provisions of this chapter.</p> <p>(4) For the purpose of this chapter, "domestic partner" shall be defined as a person who, prior to the decedent's death, was in an exclusive, intimate, and committed relationship with the decedent and who certifies by affidavit that their relationship met the following qualifications:</p> <ul style="list-style-type: none"> (i) Both partners were at least eighteen (18) years of age and were mentally competent to contract; (ii) Neither partner is married to anyone else; (iii) Partners were not related by blood to a degree which would prohibit marriage in the state of Rhode Island; (iv) Partners resided together and had resided together for at least one year at the time of death; and (v) Partners were financially interdependent as evidenced by at least two (2) of the following: <ul style="list-style-type: none"> (A) Domestic partnership agreement or relationship contract;
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ISSUE: FINAL DISPOSITION	
Law/Regulation	Any Guidelines or Requirements of Disposition of Cremated Remains Including Mailing Requirements
18.21 Disposition of Human Remains	<p>A crematory or funeral home shall be authorized to arrange for disposition of cremated remains, in a dignified manner, that have been abandoned at the crematory or funeral home for more than six (6) months.</p> <p>(i) All reasonable attempts must be made and due diligence exercised to contact the person in charge who authorized the cremation. Written notice shall be sent by certified mail, return receipt requested, to the last known address of the person who authorized the cremation at least sixty (60) days prior to disposition.</p> <p>(ii) Records shall be maintained to indicate the disposition of the human remains after cremation.</p>