

“Choices”

Information on the regulations and requirements of the final disposition of a dead human body in Minnesota.

Minnesota Department of Health
Mortuary Science Section
85 East Seventh Place, Suite 220
P.O. Box 64882
St. Paul, MN 55164-0882
(651) 201-3829
TDD: (651) 201-5797

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Introduction

The Mortuary Science Section receives information requests from a variety of people, including the public, who wish to take care of the funeral process on their own and those who wish to use a mortician. The Section also receives questions from coroners and medical examiners, law enforcement personnel, attorneys, county registrars, hospitals and nursing homes, physicians and nurses, medical records staff, funeral home and crematory owners, morticians, and cemeteries. In an effort to provide information to this broad range of people, the Mortuary Science Section staff has put together this manual answering the questions most commonly asked.

Death touches everyone eventually, and when it does, there are many important decisions to make. Whether one decides to use a funeral home or care for a loved one independently, there is much to do. This manual addresses the necessary duties, possible choices and legal requirements that must be met when a death occurs.

Please note that a glossary of terms is provided at the end of this manual. It may be helpful to read the glossary first to become familiar with these terms.

Right to Control and Duty of the Disposition of the Body

Minnesota law clearly identifies who is in charge of the disposition of the body. The right to control a dead human body, including the location and conditions of final disposition, vests in, and the duty of final disposition of the body devolves upon, the following in the order of priority listed:

- 1) a person may plan for their own final disposition and have those wishes carried out; (These arrangements made in advance of need must be in writing, dated and witnessed.)
- 2) the person or persons appointed in a dated written instrument signed by the decedent. By definition, a written instrument includes, but is not limited to, a health care directive executed under chapter 145C. If there is a dispute involving more than one written instrument, a written instrument that is witnessed or notarized prevails over a written instrument that is not witnessed or notarized. However, a written instrument does not include a durable or nondurable power of attorney which terminates on the death of the principal pursuant to sections 523.08 and 523.09;
- 3) the spouse of the decedent;
- 4) the adult child or the majority of the adult children of the decedent. Keep in mind that, in the absence of actual knowledge to the contrary, a mortician may rely on instructions given by the child or children who represent that they are the sole surviving child, or that they constitute a majority of the surviving children;
- 5) the surviving parent or parents of the decedent, each having equal authority;
- 6) the adult sibling or the majority of the adult siblings of the decedent, provided that, in the absence of actual knowledge to the contrary, a mortician may rely on instructions given by the sibling or siblings who represent that they are the sole surviving sibling, or that they constitute a majority of the surviving siblings;

7) the adult grandchild or the majority of the adult grandchildren of the decedent. A mortician may rely on instructions given by a grandchild or grandchildren who represent that they are the only grandchild or grandchildren reasonably available to control final disposition of the decedent's remains or represent a majority of such grandchildren;

8) the grandparent or the grandparents of the decedent, each having equal authority;

9) the adult nieces and nephews of the decedent, or a majority of them, provided that, in the absence of actual knowledge to the contrary, a funeral director or mortician may rely on instructions given by a niece, nephew, or nieces or nephews who represent that they are the only niece, nephew, or nieces or nephews reasonably available to control final disposition of the decedent's remains or represent a majority of nieces and nephews reasonably available to control final disposition of the decedent's remains;

10) the person or persons who were acting as the guardians of the person of the decedent with authority to make health care decisions for the decedent at the time of death;

11) an adult who exhibited special care and concern for the decedent;

12) the person or persons respectively in the next degree of kinship in the order named by law to inherit the estate of the decedent; and

13) the appropriate public or court authority, as required by law.

You may review the regulations on controlling the final disposition of a body and who has the duty to pay for the funeral in MN Statutes 149A.80.

<https://www.revisor.mn.gov/statutes/?id=149A.80>

Reporting a Death

When a death occurs outside a care facility, such as a hospital or a nursing home, Minnesota statute 390.11 requires that the death must be reported to the local coroner or medical examiner. This means that all deaths occurring at home must be reported. A family member, a hospice worker, emergency medical service personnel, law enforcement personnel or a mortician can do this.

Failure to report a death will cause problems with getting a death certificate completed. Minnesota statute 609.502 states that whoever interferes with the body or scene of death with intent to mislead the coroner or medical examiner or conceal evidence is guilty of a gross misdemeanor.

The name and contact information of a local coroner or medical examiner can be found in the "Government" section in the front of a telephone book or on-line at http://www.health.state.mn.us/divs/chs/osr/deathreg/coroners_and_mes.cfm

Autopsy

An autopsy may be required by the coroner or medical examiner, at no cost, if there is any question about the cause or manner of death. A physician may ask permission to do an autopsy to confirm or clarify a diagnosis. The family of the deceased may request an autopsy. When requested by the family, a fee for the autopsy may be charged.

Donation

Donation of tissue and organs saves the lives of thousands of men, women, and children each year. According to LifeSource™, a single donor can help save and heal the lives of up to 60 people. Yet more than 109,000 people currently are on waiting lists for organ transplant. To learn more about donating tissue or organs for transplant, contact LifeSource™ at <http://www.life-source.org/> or American Donor Services at <http://www.americandonorservices.org/>.

A person may also donate his/her body for education and research. Whole body donation to this cause will aid in anatomy education, research, clinical practice, surgical training, and biomedical device design. In Minnesota, there are two in-state options to which you may donate your body:

1) The University of Minnesota Anatomy Bequest Program:

<http://www.bequest.umn.edu/>

2) The Rochester Mayo Clinic:

<http://www.mayoclinic.org/body-donation/index.html>

In rare cases, a donation may be declined. Contact a program of choice in advance to register and make alternative plans with family in the event a donation does not qualify.

Removing a Dead Human Body from a Place of Death

Unpaid persons with the right to control the dead human body, or that person's unpaid designee, may remove a body from the place of death, transport the body, prepare the body for disposition, or arrange for final disposition of the body. All actions must comply with regulations for final disposition found in Minnesota Statutes 149A. Only a licensed mortician may prepare a body for final disposition by embalming.

When removing a deceased human body from a place of death, there are certain requirements to follow:

- 1) A “Certificate of Removal” is required any time there is a transfer of custody of a dead human body from one entity to another. This form is available on-line at: <http://www.health.state.mn.us/divs/hpsc/mortsci/certrem.pdf>
- 2) The deceased must be wrapped with a nonporous (plastic) sheet.
- 3) A cot, stretcher or rigid tray must be used when moving the body.
- 4) The body must be transported in a vehicle that has ample enclosed area for the body to lay in a horizontal position, and it must be able to shield the body from public view.

Nursing homes, hospitals, healthcare facilities and coroners/medical examiner offices are allowed by law to have a policy that restricts or limits who may remove the body from their facility. When such a policy exists, the deceased will only be released to a Minnesota licensed mortician.

If a funeral home is used, the mortician will be knowledgeable of the regulations and will follow these requirements.

Filing a death certificate

Minnesota statute 144.221 requires that a death certificate must be filed for all people who die in Minnesota within five days of the death or prior to burial, entombment or cremation, whichever comes first. To file a death certificate, two things must occur:

- 1) A “documentation of death worksheet” must be completed. This document states demographic information about the deceased. Minnesota rules 4601.1500 requires that the documentation of death worksheet must be filed by a mortician or other person in charge of the disposition of the body.
- 2) Minnesota Rules 4601.1800 requires that the cause of death on the documentation of death worksheet must be certified by either a physician or the coroner or medical examiner with jurisdiction of the body.

Blank documentation of death worksheets are available on the Office of the State Registrar’s website:

<http://www.health.state.mn.us/divs/chs/osr/deathreg/04deathworksheet.pdf> or by calling the Supervisor of Death Record Processing at 651-201-4845.

Once completely filled out, the documentation of death worksheet is filed with the State Registrar to the attention of the supervisor of Death Record Processing using fax number 651-201-5750.

Disposition Permits

A disposition permit is required prior to burial, entombment or cremation of a body. The disposition permit is issued by the State Registrar after the documentation of death worksheet has been filed. This permit must be given to the cemetery official or crematory operator where the final disposition occurs.

Certified Copies of the Death Certificate

Certified copies of the death certificate are typically required for application for life insurance, transfer of titles of homes or automobiles, banking and for many other legal issues. Certified copies of the death certificate may be obtained from any local registrar, by using the State Registrar's Minnesota Death Record Application - Certified Death Certificate form found at: <http://www.health.state.mn.us/divs/chs/osr/deathapp.pdf> or through a funeral home that was in charge of the final disposition.

Tangible Interest

In order to receive a certified copy of a death certificate, the applicant must have a relationship to the decedent defined as "tangible interest." The requirements of Tangible Interest are listed here:

<https://www.revisor.mn.gov/rules/?id=4601.2600>

Time-lines

A body must be buried or entombed in a legally recognized cemetery, or cremated within a reasonable amount of time following the death. If embalming is not desired, Minnesota law requires that the body be buried or cremated within 72 hours of the time the body is released from the place of death or released by the coroner or medical examiner. If embalming is not chosen, refrigeration of the body allows the time-line to be extended up to six days. Individuals without access to refrigeration may extend the time-line to four days by using dry ice.

Public Visitations

The viewing of the deceased by the public requires that the body be either embalmed by a licensed mortician or that the body be refrigerated using dry ice. When using dry ice, the visitation may take place for up to four days following the death, but must take place on private property such as in a home. (Take necessary precautions when handling dry ice.)

Private Visitations

Private viewing of a dead human body may take place in a private place without embalming or without the use of dry ice. This private reviewal must take place within the three-day time limit mentioned above. A private visitation may only

include those on the list of persons found in MN Statutes 149A.80.
<https://www.revisor.mn.gov/statutes/?id=149A.80>

Caskets

Minnesota law allows consumers to purchase a casket from a funeral home or from other providers such as a casket store, buying club or on the internet. You may also make your own casket if you wish. A funeral home cannot charge a handling fee when you do not purchase the casket from them.

Burial

Burial of a body must be in a legally registered cemetery. Prior to the burial taking place, a disposition permit is required. If burial is desired on private property, which is allowed in some cases, it is necessary to establish a private cemetery on the private property. This typically requires that the land be surveyed, mapped or charted and registered with the county or the city with jurisdiction. However, many counties do not permit this. Therefore, local zoning officials must be consulted.

Some cemeteries require the use of an “outer burial container.” An outer burial container is an enclosure that surrounds the casket in the ground and prevents the grave from caving and it thus helps keep cemetery maintenance costs down. An outer burial container is usually made of cement, metal or plastic and may be purchased from some cemeteries or from a funeral home.

A “burial vault” is a sealed outer burial container with a metal or plastic lining. A “grave box” is a non-sealing outer burial container. Outer burial containers are not required by state law but rather may be required by policy of some cemeteries.

If a burial will take place in a cemetery, in addition to the cost of purchasing a grave space, a charge is incurred for the labor of opening and closing of the grave. If a marker or monument is purchased, there may be a fee to put it in place. The cemetery is required to itemize all costs.

Although cemeteries are not licensed by the state of Minnesota, some cemeteries have a licensed funeral home on their property and are able to provide all funeral and cemetery services from one location.

Entombment means placing the body in a structure built above the ground, typically constructed of marble, stone, or cement, such as a mausoleum. It does not require an outer burial container and does not require the purchase of a monument or marker.

Cemetery laws are found in MN Statutes 306 and 307.

<https://www.revisor.mn.gov/statutes/?id=306>

<https://www.revisor.mn.gov/statutes/?id=307>

Green Funerals/Green Burials

Webster's online dictionary defines the word "green" (as it pertains to products and services) as "not harmful to the environment." A green funeral is generally any end-of-life ritual that is as harmless as possible for the environment, thereby reducing its environmental impact. A green burial may take place in a conventional modern cemetery or in a green cemetery or natural burial ground that uses eco-friendly methods. In a green burial, graves are dug by hand and concrete vaults or grave liners are not used.

Cremation

Cremation is the reduction of a dead human body to essential elements through direct exposure to intense heat and flame. Because cremation is irreversible, there are several requirements that must be followed before a person's body is to be cremated.

1) By statute 149A.95, the coroner or medical examiner of the county where the death occurred must give his/her authorization before the cremation can take place. A Coroner/Medical Examiner Cremation Authorization Form can be obtained from the county coroner or medical examiner. After the upper portion of the form containing demographic information is completed, it is given to the physician who will complete the documentation of death worksheet. The physician then forwards the Coroner/Medical Examiner Cremation Authorization Form to the appropriate coroner or medical examiner's office for their final approval. The completed form is given to the crematory operator.

2) The person(s) with the right to control the final disposition (determined by MN Statutes 149A.80) must give permission for the cremation using the crematory's Cremation Authorization Form. The completed form is given to the crematory operator.

3) A Disposition Permit is required prior to cremation of a body. The Disposition Permit is issued by any local registrar or the state registrar after the documentation of death worksheet is properly filed. The Disposition Permit is given to the crematory operator.

If cremation is to take place in Minnesota, the body must be delivered to a licensed crematory along with the documents listed above. (A body to be cremated outside Minnesota would require that the cremation laws of both states be followed.) The body must be delivered in a leak-proof cremation container.

Caskets are not required for cremation in Minnesota. Crematories typically do not allow the use of metal containers for the cremation process.

Following cremation, the cremated remains (weighing about 3-4 lbs.) are typically placed into a temporary plastic or cardboard container or into an urn provided by the family. The cremated remains are then returned to the person designated on the crematory's Cremation Authorization Form. In Minnesota, cremated remains may be buried or scattered on private property with no additional permits required.

Cremation services may be obtained through any licensed funeral establishment in the state. Prices will vary and it may be beneficial to compare. Some crematories may accept human remains for cremation directly from the public. Crematories are not licensed to provide funeral services to the public and therefore cannot assist with the transportation of the body, preparation of the required documents or other service related issues.

Ceremonies and Services

Not all people will choose to have a funeral service. For those who do, the rite or ceremony that follows a death can be very important to the survivors. In making decisions about the ceremony, the person or persons with the right to control the final disposition of the body must take into account any wishes expressed or specified in the pre-arrangements made by the deceased as well as personal, religious and cultural considerations. It is said that "funerals are for the living," so it may be important to include rituals which will be helpful to survivors.

A funeral service is a service with the body present while a memorial service is a service where the body is not present. Religious and cultural practices, as well as personal preferences, will determine whether the body is to be present, and whether there is to be a viewing of the deceased. The ceremony may take place in a variety of places such as a house of worship, a home, a nursing home, a funeral home, or similar place.

Choosing a Funeral Home

The Minnesota Department of Health, Mortuary Science Section, licenses funeral homes and morticians. They are business people who provide services and products for a fee. They are specifically trained and licensed to provide funeral services and funeral goods to the public. People typically choose a funeral home or mortician based on past experience or location. It is recommended that survivors choose a professional with whom they feel comfortable in addition to visiting several funeral homes to discuss their wishes to determine the exact cost of those goods and services.

Required Price Lists and Itemization

All funeral providers are required to provide consumers prices for their goods and services over the telephone. When visiting a funeral home in person, they are required to provide a copy of their "General Price List" which shows the costs of their goods and services. People may also request a casket price list, outer burial container price list or other price lists, such as for cremation urns, to help make comparisons.

At the conclusion of making at-need funeral arrangements, a funeral home must present customers with and have them sign an itemized contract of the costs involved with the funeral goods and services selected. The mortician making the funeral arrangements must also sign the contract. The purpose of this contract is to ensure the customer will not have unexpected expenses.

Many funeral providers voluntarily show prices for their goods and services on their website.

Death Outside the Country

If outside the country when a death occurs, the nearest U.S. embassy or consulate should be contacted for guidance.

Air Transportation

Most commercial airlines will transport human remains.

Minnesota statutes 149A.93, subd. 7 requires that the body be embalmed if it is to be flown on a commercial aircraft. This same regulation requires that all airline policies be followed and that the remains are packaged in a casket or alternative container and an appropriate outside shipping container. Exceptions to the embalming requirement are found in MN Statutes 149A.01, subd. 3, (b).

In addition to how the body is containerized, the Department of Homeland Security requires that the airline have the shipper (funeral home) registered with them to ship human remains. Accordingly, you will not be able to ship human remains on a commercial aircraft without using a funeral home registered with the airline.

Crossing State Lines

Minnesota law does not require that a deceased body be embalmed to transport into, through, or out of the state when using private transportation such as a private airplane or private vehicle. Permits issued by other states for final disposition are recognized by the state of Minnesota. Be sure to adhere to the requirements of other states.

Pre-Planning a Funeral

Many people make their funeral plans in advance. Some counties may require individuals applying for medical assistance to prefund their funeral expenses. A social worker is able to provide this information. The county may have guidelines that address limits on this type of funding.

Under Minnesota law, funeral goods and services are typically prefunded by two means:

- 1) Funeral goods and services may be prefunded with a bank or credit union through a savings account or certificate of deposit. When this method is used, 100% of the funds must be deposited within 15 days. No administrative fees are allowed to be charged by the funeral provider. An annual 1099 statement showing accrued interest is issued to the beneficiary, and that interest is taxable income of the person for whom the pre-arrangement is made.
- 2) Another method of prefunding funeral goods and services is through an insurance policy or insurance annuity. Commission fees are allowed to be paid to the sales person or the insurance agency selling the policy. It is important to find out the growth rate of the policy to determine if it is a wise investment.

Some funeral providers will guarantee that the cost of their prefunded funeral goods and services will remain the same. It is important to get such a guarantee in writing if this is part of your agreement. Because inflation is hard to gauge, many funeral homes will not offer a price guarantee option. If they do, the earned interest or policy growth is kept by the funeral provider following the death to defray their inflationary costs. However, a funeral provider must return to the estate any excess funds in the account.

In Minnesota, a person may choose to transfer their prefunded arrangement from one funeral home to another funeral home prior to or after the death occurs. Administrative fees cannot be charged when a change in funeral providers is made.

County Assistance

County assistance may be available when a person dies with insufficient funds to pay for their final disposition. The amount of money available varies county by county. If financial assistance is needed, a social worker in the county of primary residence of the deceased can assist to see if you qualify. There may be restrictions put on the goods and services available when using county assistance for a funeral. Minnesota law allows a county to use cremation in lieu of burial when there are no objections by the next-of-kin.

Social Security Benefits

A lump-sum death benefit of \$255 may be paid upon the death of a person who has worked long enough to be insured under the Social Security program. The lump-sum death benefit can be paid upon the death of the insured person even if they were not receiving retirement or disability benefits at the time of death.

A one-time payment of \$255 is payable to the surviving spouse if he or she was living with the beneficiary at the time of death, or if living apart, was eligible for Social Security benefits on the beneficiary's earnings record for the month of death.

If there is no surviving spouse, the payment is made to a child who was eligible for benefits on the beneficiary's earnings record in the month of death.

If no spouse or child meeting these requirements exists, then the lump-sum death payment will not be paid. The lump-sum death payment cannot be paid to funeral homes for funeral expenses.

To file for the lump-sum death benefit, one should call 1-800-772-1213 to request an appointment with the local social security office. The application for the lump-sum death payment must be filed within the two-year period ending with the second anniversary of the insured person's death.

More information on Social Security benefits can be obtained on the Social Security Administration website at this address: <http://www.socialsecurity.gov/>

Veteran Benefits

Death benefits will vary from veteran to veteran. A veteran may be eligible for a monetary burial allowance, cemetery space, a headstone or marker, and a U.S. flag. You may obtain information for these benefits from the V.A. website: http://www.cem.va.gov/bbene_burial.asp

Fetal Death and Infant Death

A Report of Fetal Death worksheet must be filed within five days of a miscarriage or stillbirth of a fetus for whom 20 or more weeks of gestation have elapsed. The report is usually filed by the hospital, doctor, midwife, parent or mortician working with the family. A blank Report of Fetal Death worksheet is available from the Office of the State Registrar. To request a blank Report of Fetal Death worksheet, call 651-201-5970. More information on fetal deaths can be obtained at: <https://www.revisor.mn.gov/statutes/?id=144.222>
<http://www.health.state.mn.us/divs/chs/osr/birthreg/#brm>

There are precise regulations following a fetal or infant death. Fetal remains from an abortion, miscarriage or stillbirth that meet the criteria found in MN

145.1621 (<https://www.revisor.mn.gov/statutes/?id=145.1621>) must be buried or cremated. A Fetal Death Disposition Permit for burial or cremation of fetal remains from a miscarriage or stillbirth is available from the Mortuary Science Section's website:

<http://www.health.state.mn.us/divs/hpsc/mortsci/forms.htm>

Hospitals, clinics, and medical facilities must inform a woman of available options for fetal disposition when a woman experiences a miscarriage or is expected to experience a miscarriage.

<https://www.revisor.mn.gov/statutes/?id=145.1622>

When a birth occurs and the infant lives for any amount of time, but then the infant dies, both a birth certificate and a death certificate must be filed. Once there is a live birth, the regulations are the same for final disposition of the infant death as would be for an adult death.

Consumer Protection

The purchase of funeral services should be approached as would any other business transaction. The contract should be read carefully before signing or making any type of payment. Before making purchases from door-to-door sales people or telephone solicitors, it is important to find out if they represent legitimate business firms. People have 72 hours to cancel a preneed contract.

Under Minnesota law, funeral providers (funeral homes and cemeteries, casket sellers, etc.) are not permitted to call upon an individual at a grave site, in a hospital, nursing home, hospice, or similar institution or facility, or at a visitation, wake, or reviewal for the purpose of soliciting the sale of funeral goods, funeral services, burial site goods, or burial site services or for the purpose of making arrangements for a funeral or the final disposition of a dead human body, without a specific request for solicitation from that individual. They may not solicit the sale of funeral goods, funeral services, burial site goods, or burial site services from an individual whose impending death is readily apparent, without a specific request for solicitation from that individual. Also, they cannot engage in solicitation of an individual who has the right to control the final disposition of a dead human body within ten days after the death of the individual whose body is being disposed, without a specific request for solicitation from that individual.

Definitions

Aftercare – a service offered by some funeral homes or other grief-care professionals for assisting families through the grieving process.

Alternative Container – a nonmetal receptacle or enclosure designed for the encasement of dead human remains and is made of fiberboard, pressed-wood, or other like materials.

Arrangements for Disposition – any action normally taken by a funeral provider in anticipation of or preparation for the entombment, burial in a cemetery, or cremation of a dead human body.

At-Need Arrangements – Planning for the final disposition of a person after the death has occurred.

Burial Space – a designated location within the cemetery for one individual grave.

Burial Vault – a sealed outer burial container, which holds the casket in a below ground burial space.

Cash Advanced Items – any item of service or merchandise obtained by a third party and paid for by the funeral provider on the purchaser's behalf.

Casket – a rigid container, which is designed for the encasement of dead human remains and is usually constructed of wood, metal, fiberglass, plastic, or like material.

Casket Bearers – individuals designated to carry the casket.

Cemetery – an area of ground set aside and dedicated for the final disposition of dead human remains.

Committal Service – a ceremony at the grave.

Coroner/Medical Examiner – a public official whose chief duty is to investigate certain categories of death, including home deaths and any death not clearly resulting from natural causes.

Cremains – the remains of a dead human body following the cremation process; synonymous with cremated remains.

Cremated Remains – the remains of a dead human body following the cremation process; synonymous with cremains.

Cremated Remains Container – a receptacle in which cremated remains are placed.

Cremation - the reduction of a dead human body to essential elements through direct exposure to intense heat and flame and the repositioning or movement of the body during the process to facilitate reduction, the processing of the remains after removal from the cremation chamber, placement of the processed remains

in a cremated remains container, and release of the cremated remains to an appropriate party.

Cremation Chamber – the enclosed space within which the cremation of a dead human body is performed.

Cremation Container - a combustible, closed container that encases the body and can be made of materials like fiberboard or corrugated cardboard and into which a dead human body is placed prior to insertion into a cremation chamber for cremation. Cremation containers may be combustible "alternative containers" or combustible "caskets."

Crematory – a building or structure containing one or more cremation chambers or retorts for the cremation of dead human bodies.

Crypt – a chamber of a mausoleum of sufficient size, generally used to contain the casketed remains of a deceased person.

Death – cessation of physical life, characterized by the absence of metabolism, which is irreversible. An individual is dead if the individual sustains irreversible cessation of circulatory and respiratory functions or all functions of the entire brain, including the brain stem.

Death Certificate – the permanent legal record of the facts of death of an individual.

Deceased – one in whom all physical life has ceased.

Demographic Information - information required by the state registrar to describe characteristics of a registrant, the family of a registrant, and geographic locations pertinent to a registrant and a birth or death. Demographic information does not include health information.

Display Room/Selection Room – that portion of the funeral home, which contains caskets and other funeral merchandise for sale.

Direct Cremation – a disposition of a dead human body by cremation, without formal viewing, visitation, or ceremony with the body present.

Documentation of Death Worksheet – a form used by the Office of the State Registrar to record demographic and cause of death information of a decedent.

Dry Ice - the solid form of carbon dioxide, which with heat converts to a vapor and is used chiefly as a refrigerant.

Embalming – the process of disinfecting and preserving a dead human body by chemically treating the body to reduce the presence and growth of organisms, to retard organic decomposition, and to restore an acceptable physical appearance.

Entombment – the placing of a casketed body into a mausoleum or lawn crypt.

Eulogy – a speech or written remarks in memory of a person who has died, usually included in the funeral ceremony.

Fetal death - death of a product of human conception before the complete expulsion or extraction from its mother, irrespective of the duration of pregnancy, that is not an induced termination of pregnancy. The death is indicated by the fact that after expulsion or extraction, the fetus does not breathe or show any other evidence of life, including beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles. Heartbeats are to be distinguished from transient cardiac contractions. Respirations are to be distinguished from fleeting respiratory efforts or gasps.

File - to present a vital record or report for registration to the Office of the State Registrar and to have the vital record or report accepted for registration by the Office of the State Registrar.

Final Disposition – the entombment, burial in a cemetery, or cremation of a dead human body or dead fetus.

Funeral Ceremony – a service or rite commemorating the deceased with the body present.

Funeral Director – any licensed person who, for compensation, arranges, directs, or supervises funerals, memorial services, or graveside services, or engages in the business or practice of preparing dead human bodies for final disposition by means other than embalming.

Funeral Establishment – any place or premise devoted to or used in the holding, care, or preparation of a dead human body for final disposition.

Funeral Goods – the goods that are sold or offered for sale directly to the public for use in connection with funeral services.

Funeral Provider – any person that sells or offers to sell funeral goods or funeral services to the public.

Funeral Services – any services that may be used to care for and prepare dead human bodies for burial, cremation, or other final disposition, and arrange, supervise, or conduct the funeral ceremony or the final disposition of dead human bodies.

Grave – an excavation in the earth as a place for interment.

Grave Liner – an outer burial container that offers support for the weight of the earth but without sealing qualities.

Graveside Service – a service or rite, conducted at the place of interment, commemorating the deceased with the body present.

Immediate Burial – final disposition of a dead human body by burial, without formal viewing, visitation, or ceremony with the body present, except for a graveside service.

Interment – the process whereby a casketed body is placed into an outer burial container or burial vault in a grave.

Institution - a public or private establishment that provides inpatient or outpatient medical, surgical, or diagnostic care or treatment or provides nursing, custodial, or domiciliary care, or to which persons are committed by law.

Lawn Crypt – this form of below ground burial is an alternative to ordinary ground burial. A companion or individual concrete crypt is placed in the ground prior to need.

Live birth - the complete expulsion or extraction of a product of human conception from its mother, irrespective of the duration of pregnancy, that, after expulsion or extraction, breathes, or shows any other evidence of life, including beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Heartbeats are to be distinguished from transient cardiac contractions. Respirations are to be distinguished from fleeting respiratory efforts or gasps.

Local Registrar - means an individual designated under section 144.214, subdivision 1, to perform the duties of a local registrar.

Lot – in a cemetery, a section of grave spaces in multiples of two to twenty.

Mausoleum – a building with several crypts for entombment.

Medical Examiner/Coroner – a public official whose chief duty is to investigate certain categories of death, including home deaths and any death not clearly resulting from natural causes.

Memorial Gardens – designated areas within a cemetery where certain themes or designs create distinctive memorialization.

Memorial Service – a ceremony or rite commemorating the deceased without the body present or with the cremated remains present.

Mortician – any licensed person who, for compensation, practices the art of embalming and arranges, directs, or supervises funerals, memorial services, or graveside services, or engages in the business or practice of preparing dead human bodies for final disposition.

Next-of-Kin – a person's relatives collectively, referring to blood relationship.

Obituary – a notice of the death of a person, particularly a newspaper notice, containing a biographical sketch.

Officiant – usually a minister, or other designated person, who conducts a funeral and committal service.

Outer Burial Container – any container designed for placement in the grave around a casket or alternative container.

Perpetual Care – the duties included with taking care of the cemetery.

Physician - a person with a valid license in good standing under Minnesota Statutes, chapter 147, to practice medicine as defined under Minnesota Statutes, section 147.081, subdivision 3, or a person currently licensed in good standing to practice medicine under the laws of the person's resident state or the state where the person is actively practicing medicine.

Pre-need arrangements – planning for the final disposition of a person prior to the death has occurring.

Pre-funding - paying for funeral goods and/or funeral services of a person prior to the death of that person taking place.

Preparation of the Body – embalming of the body or such items of care as washing, disinfecting, shaving, positioning of features, restorative procedures, application of cosmetics, dressing, and casketing.

Public Transportation – all manner of transportation via common carrier available to the general public including airlines, buses, railroads, and ships.

Refrigeration - to preserve by keeping cool at a temperature of 40 degrees Fahrenheit or less using mechanical or natural means.

Stillborn – dead at birth.

Transportation Costs – all costs associated with the use of the vehicle used for the initial transfer of the deceased, the funeral coach, funeral sedans, the flower car, any service or utility vehicles, and public transportation.

Urn – a container which serves as a receptacle for cremated remains.

Use of Facilities – the provision of a chapel or room for visitation, the provision of a chapel or room for the funeral or memorial service, the provision of facilities for parking, or the provision of office space for administrative or planning purposes.

Veteran – one who has served a prescribed period of time with the armed forces and who is no longer an active member of the armed forces.

Visitation – the visiting of friends and relatives to the residence and/or mortuary to pay respect to the deceased prior to the funeral service.

Vital statistics - the data derived from records and reports of birth, death, fetal death, induced abortion, marriage, dissolution and annulment, and related reports.

Organizations Accepting Donations in Minnesota

American Donor Services
1285 Nininger Road, Suite 205
Hastings, MN 55033
(651) 437-1018
fax (651) 437-1117

Anatomy Bequest Program
University of Minnesota
3-005 Nils Hasselmo Hall
312 Church Street SE
Minneapolis, MN 55455-0215
Office: 612-625-1111
Fax: 612-625-1688
E-Mail: bequest@umn.edu
<http://www.bequest.umn.edu>

LifeSource
Upper Midwest Organ Procurement
2550 University Avenue West
Suite #315 South
St. Paul, MN 55114-1904
(651) 603-7800

1-888-536-6283
www.life-source.org

Minnesota Lions Eye Bank
1000 Westgate Drive
Suite 260
Saint Paul, MN 55114
866-887-4448
mleb@mnlionseyebank.org
<http://www.mnlionseyebank.org/>

Mayo Clinic Department of Anatomy
Mr. Terry Regnier, Director of Anatomical Services
507-284-2693
<http://www.mayoclinic.org/body-donation/contact.html>

The National Kidney Foundation
1970 Oakcrest Ave # 208
Saint Paul, MN 55113-2624
651-636-7300 or (800)596-7943
www.nkfmn.org

Complaints

The Minnesota Department of Health, Mortuary Science Section licenses and regulates morticians, funeral directors, funeral homes and crematories in Minnesota. This office is responsible for safeguarding the public's health and protecting the consumer. It investigates complaints and determines grounds for disciplining licensees. This office also advises the Attorney General regarding punishment of both licensed and unlicensed persons who violate the law.

State government also regulates some consumer-related activities of cemeteries. Since cemetery services are often purchased as part of the final disposition of a the body, they are also discussed in this pamphlet.

If you have a complaint about a mortician, funeral director, crematory or funeral home, contact:

Minnesota Department of Health
Mortuary Science Section
85 East Seventh Place
P.O. Box 64882
St. Paul, MN 55164-0882
(651) 201-3829
www.health.state.mn.us/divs/hpsc/mortsci/

Minnesota Statute 149A can be found at:
<https://www.revisor.mn.gov/statutes/?id=149A>