

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3466

02/15/2022 Authored by Huot
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to mortuary science; permitting the conversion of human remains to basic
1.3 elements using natural organic reduction; amending Minnesota Statutes 2020,
1.4 sections 149A.02, subdivisions 1a, 3, 9, 16, 23, 26a, 27, 30a, 32a, 34, 35, 37c, 41,
1.5 by adding subdivisions; 149A.03; 149A.54; 149A.55; 149A.65, subdivision 6;
1.6 149A.70, subdivisions 1, 2, 3, 5; 149A.71, subdivisions 2, 4; 149A.72, subdivisions
1.7 3, 3a, 9; 149A.73, subdivisions 1, 2; 149A.74, subdivision 1; 149A.94, subdivisions
1.8 1, 4; 149A.941.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2020, section 149A.02, subdivision 1a, is amended to read:

1.11 Subd. 1a. Alkaline hydrolysis. "Alkaline hydrolysis" means the reduction of a dead
1.12 human body to essential elements through a water-based dissolution process using alkaline
1.13 chemicals, heat, agitation, and pressure to accelerate natural decomposition; the processing
1.14 of the hydrolyzed remains after removal from the alkaline hydrolysis vessel; placement of
1.15 the processed remains in a hydrolyzed remains container; and release of the hydrolyzed
1.16 remains to an appropriate party. Alkaline hydrolysis is a form of final disposition. Alkaline
1.17 hydrolysis does not include natural organic reduction or to naturally reduce human remains.

1.18 Sec. 2. Minnesota Statutes 2020, section 149A.02, subdivision 3, is amended to read:

1.19 Subd. 3. Arrangements for disposition. "Arrangements for disposition" means any
1.20 action normally taken by a funeral provider in anticipation of or preparation for the
1.21 entombment, burial in a cemetery, alkaline hydrolysis, natural organic reduction, or cremation
1.22 of a dead human body.

2.1 Sec. 3. Minnesota Statutes 2020, section 149A.02, subdivision 9, is amended to read:

2.2 Subd. 9. **Cremation.** "Cremation" means the reduction of a dead human body to essential
2.3 elements through direct exposure to intense heat and flame and the repositioning or movement
2.4 of the body during the process to facilitate reduction, the processing of the remains after
2.5 removal from the cremation chamber, placement of the processed remains in a cremated
2.6 remains container, and release of the cremated remains to an appropriate party. Cremation
2.7 does not include natural organic reduction or to naturally reduce human remains.

2.8 Sec. 4. Minnesota Statutes 2020, section 149A.02, subdivision 16, is amended to read:

2.9 Subd. 16. **Final disposition.** "Final disposition" means the acts leading to and the
2.10 entombment, burial in a cemetery, alkaline hydrolysis, organic natural reduction, or cremation
2.11 of a dead human body.

2.12 Sec. 5. Minnesota Statutes 2020, section 149A.02, subdivision 23, is amended to read:

2.13 Subd. 23. **Funeral services.** "Funeral services" means any services which may be used
2.14 to: (1) care for and prepare dead human bodies for burial, alkaline hydrolysis, organic natural
2.15 reduction, cremation, or other final disposition; and (2) arrange, supervise, or conduct the
2.16 funeral ceremony or the final disposition of dead human bodies.

2.17 Sec. 6. Minnesota Statutes 2020, section 149A.02, subdivision 26a, is amended to read:

2.18 Subd. 26a. **Inurnment.** "Inurnment" means placing hydrolyzed, naturally reduced, or
2.19 cremated remains in a hydrolyzed, naturally reduced, or cremated remains container suitable
2.20 for placement, burial, or shipment.

2.21 Sec. 7. Minnesota Statutes 2020, section 149A.02, subdivision 27, is amended to read:

2.22 Subd. 27. **Licensee.** "Licensee" means any person or entity that has been issued a license
2.23 to practice mortuary science, to operate a funeral establishment, to operate an alkaline
2.24 hydrolysis or natural organic reduction facility, or to operate a crematory by the Minnesota
2.25 commissioner of health.

2.26 Sec. 8. Minnesota Statutes 2020, section 149A.02, subdivision 30a, is amended to read:

2.27 Subd. 30a. **Niche.** "Niche" means a space in a columbarium used or intended to be used
2.28 for the placement of hydrolyzed, naturally reduced, or cremated remains.

3.1 Sec. 9. Minnesota Statutes 2020, section 149A.02, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 30b. **Natural organic reduction.** "Natural organic reduction" or "naturally reduce"
3.4 means the contained, accelerated conversion of human remains to soil.

3.5 Sec. 10. Minnesota Statutes 2020, section 149A.02, is amended by adding a subdivision
3.6 to read:

3.7 Subd. 30c. **Natural organic reduction facility.** "Natural organic reduction facility"
3.8 means a structure, room, or other space in a building or real property where natural organic
3.9 reduction of a human body occurs.

3.10 Sec. 11. Minnesota Statutes 2020, section 149A.02, subdivision 32a, is amended to read:

3.11 Subd. 32a. **Placement.** "Placement" means the placing of a container holding hydrolyzed,
3.12 naturally reduced, or cremated remains in a crypt, vault, or niche.

3.13 Sec. 12. Minnesota Statutes 2020, section 149A.02, subdivision 34, is amended to read:

3.14 Subd. 34. **Preparation of the body.** "Preparation of the body" means placement of the
3.15 body into an appropriate cremation, natural organic reduction or alkaline hydrolysis container,
3.16 embalming of the body or such items of care as washing, disinfecting, shaving, positioning
3.17 of features, restorative procedures, application of cosmetics, dressing, and casketing.

3.18 Sec. 13. Minnesota Statutes 2020, section 149A.02, subdivision 35, is amended to read:

3.19 Subd. 35. **Processing.** "Processing" means the removal of foreign objects, drying or
3.20 cooling, and the reduction of the hydrolyzed, naturally reduced, or cremated remains by
3.21 mechanical means including, but not limited to, grinding, crushing, or pulverizing, to a
3.22 granulated appearance appropriate for final disposition.

3.23 Sec. 14. Minnesota Statutes 2020, section 149A.02, subdivision 37c, is amended to read:

3.24 Subd. 37c. **Scattering.** "Scattering" means the authorized dispersal of hydrolyzed,
3.25 naturally reduced, or cremated remains in a defined area of a dedicated cemetery or in areas
3.26 where no local prohibition exists provided that the hydrolyzed or cremated remains are not
3.27 distinguishable to the public, are not in a container, and that the person who has control
3.28 over disposition of the hydrolyzed, naturally reduced, or cremated remains has obtained
3.29 written permission of the property owner or governing agency to scatter on the property.

4.1 Sec. 15. Minnesota Statutes 2020, section 149A.02, subdivision 41, is amended to read:

4.2 Subd. 41. **Vault.** "Vault" means a space in a mausoleum of sufficient size, used or
4.3 intended to be used to entomb human remains, cremated remains, ~~or~~ hydrolyzed remains,
4.4 or naturally reduced remains. Vault may also mean a sealed and lined casket enclosure.

4.5 Sec. 16. Minnesota Statutes 2020, section 149A.03, is amended to read:

4.6 **149A.03 DUTIES OF COMMISSIONER.**

4.7 The commissioner shall:

4.8 (1) enforce all laws and adopt and enforce rules relating to the:

4.9 (i) removal, preparation, transportation, arrangements for disposition, and final disposition
4.10 of dead human bodies;

4.11 (ii) licensure and professional conduct of funeral directors, morticians, interns, practicum
4.12 students, and clinical students;

4.13 (iii) licensing and operation of a funeral establishment;

4.14 (iv) licensing and operation of an alkaline hydrolysis facility; ~~and~~

4.15 (v) licensing and operation of a crematory; and

4.16 (vi) licensing and operation of a natural reduction facility;

4.17 (2) provide copies of the requirements for licensure and permits to all applicants;

4.18 (3) administer examinations and issue licenses and permits to qualified persons and other
4.19 legal entities;

4.20 (4) maintain a record of the name and location of all current licensees and interns;

4.21 (5) perform periodic compliance reviews and premise inspections of licensees;

4.22 (6) accept and investigate complaints relating to conduct governed by this chapter;

4.23 (7) maintain a record of all current preneed arrangement trust accounts;

4.24 (8) maintain a schedule of application, examination, permit, and licensure fees, initial
4.25 and renewal, sufficient to cover all necessary operating expenses;

4.26 (9) educate the public about the existence and content of the laws and rules for mortuary
4.27 science licensing and the removal, preparation, transportation, arrangements for disposition,
4.28 and final disposition of dead human bodies to enable consumers to file complaints against
4.29 licensees and others who may have violated those laws or rules;

5.1 (10) evaluate the laws, rules, and procedures regulating the practice of mortuary science
 5.2 in order to refine the standards for licensing and to improve the regulatory and enforcement
 5.3 methods used; and

5.4 (11) initiate proceedings to address and remedy deficiencies and inconsistencies in the
 5.5 laws, rules, or procedures governing the practice of mortuary science and the removal,
 5.6 preparation, transportation, arrangements for disposition, and final disposition of dead
 5.7 human bodies.

5.8 Sec. 17. Minnesota Statutes 2020, section 149A.54, is amended to read:

5.9 **149A.54 LICENSE TO OPERATE AN ALKALINE HYDROLYSIS FACILITY**
 5.10 **OR NATURAL ORGANIC REDUCTION FACILITY.**

5.11 Subdivision 1. **License requirement.** Except as provided in section 149A.01, subdivision
 5.12 3, a place or premise shall not be maintained, managed, or operated which is devoted to or
 5.13 used in the holding and alkaline hydrolysis or natural organic reduction of a dead human
 5.14 body without possessing a valid license to operate an alkaline hydrolysis or natural organic
 5.15 reduction facility issued by the commissioner of health.

5.16 Subd. 2. **Requirements for an alkaline hydrolysis or natural organic reduction**
 5.17 **facility.** (a) An alkaline hydrolysis or natural organic reduction facility licensed under this
 5.18 section must consist of:

5.19 (1) a building or structure that complies with applicable local and state building codes,
 5.20 zoning laws and ordinances, and wastewater management and environmental standards,
 5.21 containing one or more alkaline hydrolysis or natural organic reduction vessels for the
 5.22 alkaline hydrolysis or natural organic reduction of dead human bodies;

5.23 (2) a method approved by the commissioner of health to dry the hydrolyzed or naturally
 5.24 reduced remains and which is located within the licensed facility;

5.25 (3) a means approved by the commissioner of health for refrigeration of dead human
 5.26 bodies awaiting alkaline hydrolysis or natural organic reduction;

5.27 (4) an appropriate means of processing hydrolyzed or naturally reduced remains to a
 5.28 granulated appearance appropriate for final disposition; and

5.29 (5) an appropriate holding facility for dead human bodies awaiting alkaline hydrolysis
 5.30 or natural organic reduction.

5.31 (b) An alkaline hydrolysis or natural organic reduction facility licensed under this section
 5.32 may also contain a display room for funeral goods.

6.1 Subd. 3. **Application procedure; documentation; initial inspection.** An application
6.2 to license and operate an alkaline hydrolysis or natural organic reduction facility shall be
6.3 submitted to the commissioner of health. A completed application includes:

6.4 (1) a completed application form, as provided by the commissioner;

6.5 (2) proof of business form and ownership;

6.6 (3) proof of liability insurance coverage or other financial documentation, as determined
6.7 by the commissioner, that demonstrates the applicant's ability to respond in damages for
6.8 liability arising from the ownership, maintenance management, or operation of an alkaline
6.9 hydrolysis or natural organic reduction facility; and

6.10 (4) copies of wastewater and other environmental regulatory permits and environmental
6.11 regulatory licenses necessary to conduct operations.

6.12 Upon receipt of the application and appropriate fee, the commissioner shall review and
6.13 verify all information. Upon completion of the verification process and resolution of any
6.14 deficiencies in the application information, the commissioner shall conduct an initial
6.15 inspection of the premises to be licensed. After the inspection and resolution of any
6.16 deficiencies found and any reinspections as may be necessary, the commissioner shall make
6.17 a determination, based on all the information available, to grant or deny licensure. If the
6.18 commissioner's determination is to grant the license, the applicant shall be notified and the
6.19 license shall issue and remain valid for a period prescribed on the license, but not to exceed
6.20 one calendar year from the date of issuance of the license. If the commissioner's determination
6.21 is to deny the license, the commissioner must notify the applicant in writing of the denial
6.22 and provide the specific reason for denial.

6.23 Subd. 4. **Nontransferability of license.** A license to operate an alkaline hydrolysis or
6.24 natural organic reduction facility is not assignable or transferable and shall not be valid for
6.25 any entity other than the one named. Each license issued to operate an alkaline hydrolysis
6.26 or natural organic reduction facility is valid only for the location identified on the license.
6.27 A 50 percent or more change in ownership or location of the alkaline hydrolysis or natural
6.28 organic reduction facility automatically terminates the license. Separate licenses shall be
6.29 required of two or more persons or other legal entities operating from the same location.

6.30 Subd. 5. **Display of license.** Each license to operate an alkaline hydrolysis or natural
6.31 organic reduction facility must be conspicuously displayed in the alkaline hydrolysis or
6.32 natural organic reduction facility at all times. Conspicuous display means in a location
6.33 where a member of the general public within the alkaline hydrolysis or natural organic
6.34 reduction facility is able to observe and read the license.

7.1 Subd. 6. **Period of licensure.** All licenses to operate an alkaline hydrolysis or natural
7.2 organic reduction facility issued by the commissioner are valid for a period of one calendar
7.3 year beginning on July 1 and ending on June 30, regardless of the date of issuance.

7.4 Subd. 7. **Reporting changes in license information.** Any change of license information
7.5 must be reported to the commissioner, on forms provided by the commissioner, no later
7.6 than 30 calendar days after the change occurs. Failure to report changes is grounds for
7.7 disciplinary action.

7.8 Subd. 8. **Notification to the commissioner.** If the licensee is operating under a
7.9 wastewater or an environmental permit or license that is subsequently revoked, denied, or
7.10 terminated, the licensee shall notify the commissioner.

7.11 Subd. 9. **Application information.** All information submitted to the commissioner for
7.12 a license to operate an alkaline hydrolysis or natural organic reduction facility is classified
7.13 as licensing data under section 13.41, subdivision 5.

7.14 Sec. 18. Minnesota Statutes 2020, section 149A.55, is amended to read:

7.15 **149A.55 RENEWAL OF LICENSE TO OPERATE AN ALKALINE HYDROLYSIS**
7.16 **OR NATURAL ORGANIC REDUCTION FACILITY.**

7.17 Subdivision 1. **Renewal required.** All licenses to operate an alkaline hydrolysis or
7.18 natural organic reduction facility issued by the commissioner expire on June 30 following
7.19 the date of issuance of the license and must be renewed to remain valid.

7.20 Subd. 2. **Renewal procedure and documentation.** Licensees who wish to renew their
7.21 licenses must submit to the commissioner a completed renewal application no later than
7.22 June 30 following the date the license was issued. A completed renewal application includes:

7.23 (1) a completed renewal application form, as provided by the commissioner; and

7.24 (2) proof of liability insurance coverage or other financial documentation, as determined
7.25 by the commissioner, that demonstrates the applicant's ability to respond in damages for
7.26 liability arising from the ownership, maintenance, management, or operation of an alkaline
7.27 hydrolysis or natural organic reduction facility.

7.28 Upon receipt of the completed renewal application, the commissioner shall review and
7.29 verify the information. Upon completion of the verification process and resolution of any
7.30 deficiencies in the renewal application information, the commissioner shall make a
7.31 determination, based on all the information available, to reissue or refuse to reissue the
7.32 license. If the commissioner's determination is to reissue the license, the applicant shall be

8.1 notified and the license shall issue and remain valid for a period prescribed on the license,
8.2 but not to exceed one calendar year from the date of issuance of the license. If the
8.3 commissioner's determination is to refuse to reissue the license, section 149A.09, subdivision
8.4 2, applies.

8.5 Subd. 3. **Penalty for late filing.** Renewal applications received after the expiration date
8.6 of a license will result in the assessment of a late filing penalty. The late filing penalty must
8.7 be paid before the reissuance of the license and received by the commissioner no later than
8.8 31 calendar days after the expiration date of the license.

8.9 Subd. 4. **Lapse of license.** Licenses to operate alkaline hydrolysis or natural organic
8.10 reduction facilities shall automatically lapse when a completed renewal application is not
8.11 received by the commissioner within 31 calendar days after the expiration date of a license,
8.12 or a late filing penalty assessed under subdivision 3 is not received by the commissioner
8.13 within 31 calendar days after the expiration of a license.

8.14 Subd. 5. **Effect of lapse of license.** Upon the lapse of a license, the person to whom the
8.15 license was issued is no longer licensed to operate an alkaline hydrolysis or natural organic
8.16 reduction facility in Minnesota. The commissioner shall issue a cease and desist order to
8.17 prevent the lapsed license holder from operating an alkaline hydrolysis or natural organic
8.18 reduction facility in Minnesota and may pursue any additional lawful remedies as justified
8.19 by the case.

8.20 Subd. 6. **Restoration of lapsed license.** The commissioner may restore a lapsed license
8.21 upon receipt and review of a completed renewal application, receipt of the late filing penalty,
8.22 and reinspection of the premises, provided that the receipt is made within one calendar year
8.23 from the expiration date of the lapsed license and the cease and desist order issued by the
8.24 commissioner has not been violated. If a lapsed license is not restored within one calendar
8.25 year from the expiration date of the lapsed license, the holder of the lapsed license cannot
8.26 be relicensed until the requirements in section 149A.54 are met.

8.27 Subd. 7. **Reporting changes in license information.** Any change of license information
8.28 must be reported to the commissioner, on forms provided by the commissioner, no later
8.29 than 30 calendar days after the change occurs. Failure to report changes is grounds for
8.30 disciplinary action.

8.31 Subd. 8. **Application information.** All information submitted to the commissioner by
8.32 an applicant for renewal of licensure to operate an alkaline hydrolysis or natural organic
8.33 reduction facility is classified as licensing data under section 13.41, subdivision 5.

9.1 Sec. 19. Minnesota Statutes 2020, section 149A.65, subdivision 6, is amended to read:

9.2 Subd. 6. **Alkaline hydrolysis or natural organic reduction facilities.** The initial and
 9.3 renewal fee for an alkaline hydrolysis or natural organic reduction facility is \$425. The late
 9.4 fee charge for a license renewal is \$100.

9.5 Sec. 20. Minnesota Statutes 2020, section 149A.70, subdivision 1, is amended to read:

9.6 Subdivision 1. **Use of titles.** Only a person holding a valid license to practice mortuary
 9.7 science issued by the commissioner may use the title of mortician, funeral director, or any
 9.8 other title implying that the licensee is engaged in the business or practice of mortuary
 9.9 science. Only the holder of a valid license to operate an alkaline hydrolysis or natural organic
 9.10 reduction facility issued by the commissioner may use the title of alkaline hydrolysis facility,
 9.11 natural organic reduction facility, water cremation, water-reduction, biocremation,
 9.12 green-cremation, resomation, dissolution, or any other title, word, or term implying that the
 9.13 licensee operates an alkaline hydrolysis or natural organic reduction facility. Only the holder
 9.14 of a valid license to operate a funeral establishment issued by the commissioner may use
 9.15 the title of funeral home, funeral chapel, funeral service, or any other title, word, or term
 9.16 implying that the licensee is engaged in the business or practice of mortuary science. Only
 9.17 the holder of a valid license to operate a crematory issued by the commissioner may use
 9.18 the title of crematory, crematorium, green-cremation, or any other title, word, or term
 9.19 implying that the licensee operates a crematory or crematorium.

9.20 Sec. 21. Minnesota Statutes 2020, section 149A.70, subdivision 2, is amended to read:

9.21 Subd. 2. **Business location.** A funeral establishment, alkaline hydrolysis facility, natural
 9.22 organic reduction facility, or crematory shall not do business in a location that is not licensed
 9.23 as a funeral establishment, alkaline hydrolysis facility, natural organic reduction facility,
 9.24 or crematory and shall not advertise a service that is available from an unlicensed location.

9.25 Sec. 22. Minnesota Statutes 2020, section 149A.70, subdivision 3, is amended to read:

9.26 Subd. 3. **Advertising.** No licensee, clinical student, practicum student, or intern shall
 9.27 publish or disseminate false, misleading, or deceptive advertising. False, misleading, or
 9.28 deceptive advertising includes, but is not limited to:

9.29 (1) identifying, by using the names or pictures of, persons who are not licensed to practice
 9.30 mortuary science in a way that leads the public to believe that those persons will provide
 9.31 mortuary science services;

10.1 (2) using any name other than the names under which the funeral establishment, alkaline
 10.2 hydrolysis facility, natural organic reduction facility, or crematory is known to or licensed
 10.3 by the commissioner;

10.4 (3) using a surname not directly, actively, or presently associated with a licensed funeral
 10.5 establishment, alkaline hydrolysis facility, natural organic reduction facility, or crematory,
 10.6 unless the surname had been previously and continuously used by the licensed funeral
 10.7 establishment, alkaline hydrolysis facility, natural organic reduction facility, or crematory;
 10.8 and

10.9 (4) using a founding or establishing date or total years of service not directly or
 10.10 continuously related to a name under which the funeral establishment, alkaline hydrolysis
 10.11 facility, natural organic reduction facility, or crematory is currently or was previously
 10.12 licensed.

10.13 Any advertising or other printed material that contains the names or pictures of persons
 10.14 affiliated with a funeral establishment, alkaline hydrolysis facility, natural organic reduction
 10.15 facility, or crematory shall state the position held by the persons and shall identify each
 10.16 person who is licensed or unlicensed under this chapter.

10.17 Sec. 23. Minnesota Statutes 2020, section 149A.70, subdivision 5, is amended to read:

10.18 Subd. 5. **Reimbursement prohibited.** No licensee, clinical student, practicum student,
 10.19 or intern shall offer, solicit, or accept a commission, fee, bonus, rebate, or other
 10.20 reimbursement in consideration for recommending or causing a dead human body to be
 10.21 disposed of by a specific body donation program, funeral establishment, alkaline hydrolysis
 10.22 facility, natural organic reduction facility, crematory, mausoleum, or cemetery.

10.23 Sec. 24. Minnesota Statutes 2020, section 149A.71, subdivision 2, is amended to read:

10.24 Subd. 2. **Preventive requirements.** (a) To prevent unfair or deceptive acts or practices,
 10.25 the requirements of this subdivision must be met.

10.26 (b) Funeral providers must tell persons who ask by telephone about the funeral provider's
 10.27 offerings or prices any accurate information from the price lists described in paragraphs (c)
 10.28 to (e) and any other readily available information that reasonably answers the questions
 10.29 asked.

10.30 (c) Funeral providers must make available for viewing to people who inquire in person
 10.31 about the offerings or prices of funeral goods or burial site goods, separate printed or

11.1 typewritten price lists using a ten-point font or larger. Each funeral provider must have a
11.2 separate price list for each of the following types of goods that are sold or offered for sale:

11.3 (1) caskets;

11.4 (2) alternative containers;

11.5 (3) outer burial containers;

11.6 (4) alkaline hydrolysis or natural organic reduction containers;

11.7 (5) cremation containers;

11.8 (6) hydrolyzed or naturally reduced remains containers;

11.9 (7) cremated remains containers;

11.10 (8) markers; and

11.11 (9) headstones.

11.12 (d) Each separate price list must contain the name of the funeral provider's place of
11.13 business, address, and telephone number and a caption describing the list as a price list for
11.14 one of the types of funeral goods or burial site goods described in paragraph (c), clauses
11.15 (1) to (9). The funeral provider must offer the list upon beginning discussion of, but in any
11.16 event before showing, the specific funeral goods or burial site goods and must provide a
11.17 photocopy of the price list, for retention, if so asked by the consumer. The list must contain,
11.18 at least, the retail prices of all the specific funeral goods and burial site goods offered which
11.19 do not require special ordering, enough information to identify each, and the effective date
11.20 for the price list. However, funeral providers are not required to make a specific price list
11.21 available if the funeral providers place the information required by this paragraph on the
11.22 general price list described in paragraph (e).

11.23 (e) Funeral providers must give a printed price list, for retention, to persons who inquire
11.24 in person about the funeral goods, funeral services, burial site goods, or burial site services
11.25 or prices offered by the funeral provider. The funeral provider must give the list upon
11.26 beginning discussion of either the prices of or the overall type of funeral service or disposition
11.27 or specific funeral goods, funeral services, burial site goods, or burial site services offered
11.28 by the provider. This requirement applies whether the discussion takes place in the funeral
11.29 establishment or elsewhere. However, when the deceased is removed for transportation to
11.30 the funeral establishment, an in-person request for authorization to embalm does not, by
11.31 itself, trigger the requirement to offer the general price list. If the provider, in making an
11.32 in-person request for authorization to embalm, discloses that embalming is not required by

12.1 law except in certain special cases, the provider is not required to offer the general price
12.2 list. Any other discussion during that time about prices or the selection of funeral goods,
12.3 funeral services, burial site goods, or burial site services triggers the requirement to give
12.4 the consumer a general price list. The general price list must contain the following
12.5 information:

12.6 (1) the name, address, and telephone number of the funeral provider's place of business;

12.7 (2) a caption describing the list as a "general price list";

12.8 (3) the effective date for the price list;

12.9 (4) the retail prices, in any order, expressed either as a flat fee or as the prices per hour,
12.10 mile, or other unit of computation, and other information described as follows:

12.11 (i) forwarding of remains to another funeral establishment, together with a list of the
12.12 services provided for any quoted price;

12.13 (ii) receiving remains from another funeral establishment, together with a list of the
12.14 services provided for any quoted price;

12.15 (iii) separate prices for each alkaline hydrolysis, natural organic reduction, or cremation
12.16 offered by the funeral provider, with the price including an alternative container or alkaline
12.17 hydrolysis, natural organic reduction, or cremation container, any alkaline hydrolysis, natural
12.18 organic reduction, or crematory charges, and a description of the services and container
12.19 included in the price, where applicable, and the price of alkaline hydrolysis, natural organic
12.20 reduction, or cremation where the purchaser provides the container;

12.21 (iv) separate prices for each immediate burial offered by the funeral provider, including
12.22 a casket or alternative container, and a description of the services and container included
12.23 in that price, and the price of immediate burial where the purchaser provides the casket or
12.24 alternative container;

12.25 (v) transfer of remains to the funeral establishment or other location;

12.26 (vi) embalming;

12.27 (vii) other preparation of the body;

12.28 (viii) use of facilities, equipment, or staff for viewing;

12.29 (ix) use of facilities, equipment, or staff for funeral ceremony;

12.30 (x) use of facilities, equipment, or staff for memorial service;

12.31 (xi) use of equipment or staff for graveside service;

13.1 (xii) hearse or funeral coach;

13.2 (xiii) limousine; and

13.3 (xiv) separate prices for all cemetery-specific goods and services, including all goods
13.4 and services associated with interment and burial site goods and services and excluding
13.5 markers and headstones;

13.6 (5) the price range for the caskets offered by the funeral provider, together with the
13.7 statement "A complete price list will be provided at the funeral establishment or casket sale
13.8 location." or the prices of individual caskets, as disclosed in the manner described in
13.9 paragraphs (c) and (d);

13.10 (6) the price range for the alternative containers offered by the funeral provider, together
13.11 with the statement "A complete price list will be provided at the funeral establishment or
13.12 alternative container sale location." or the prices of individual alternative containers, as
13.13 disclosed in the manner described in paragraphs (c) and (d);

13.14 (7) the price range for the outer burial containers offered by the funeral provider, together
13.15 with the statement "A complete price list will be provided at the funeral establishment or
13.16 outer burial container sale location." or the prices of individual outer burial containers, as
13.17 disclosed in the manner described in paragraphs (c) and (d);

13.18 (8) the price range for the alkaline hydrolysis or natural organic reduction container
13.19 offered by the funeral provider, together with the statement "A complete price list will be
13.20 provided at the funeral establishment or alkaline hydrolysis or natural organic reduction
13.21 container sale location." or the prices of individual alkaline hydrolysis or natural organic
13.22 reduction containers, as disclosed in the manner described in paragraphs (c) and (d);

13.23 (9) the price range for the hydrolyzed or naturally reduced remains container offered by
13.24 the funeral provider, together with the statement "A complete price list will be provided at
13.25 the funeral establishment or hydrolyzed or naturally reduced remains container sale location."
13.26 or the prices of individual hydrolyzed or naturally reduced remains ~~container~~ containers,
13.27 as disclosed in the manner described in paragraphs (c) and (d);

13.28 (10) the price range for the cremation containers offered by the funeral provider, together
13.29 with the statement "A complete price list will be provided at the funeral establishment or
13.30 cremation container sale location." or the prices of individual cremation containers, as
13.31 disclosed in the manner described in paragraphs (c) and (d);

13.32 (11) the price range for the cremated remains containers offered by the funeral provider,
13.33 together with the statement, "A complete price list will be provided at the funeral

14.1 establishment or cremated remains container sale location," or the prices of individual
14.2 cremation containers as disclosed in the manner described in paragraphs (c) and (d);

14.3 (12) the price for the basic services of funeral provider and staff, together with a list of
14.4 the principal basic services provided for any quoted price and, if the charge cannot be
14.5 declined by the purchaser, the statement "This fee for our basic services will be added to
14.6 the total cost of the funeral arrangements you select. (This fee is already included in our
14.7 charges for alkaline hydrolysis, natural organic reduction, direct cremations, immediate
14.8 burials, and forwarding or receiving remains.)" If the charge cannot be declined by the
14.9 purchaser, the quoted price shall include all charges for the recovery of unallocated funeral
14.10 provider overhead, and funeral providers may include in the required disclosure the phrase
14.11 "and overhead" after the word "services." This services fee is the only funeral provider fee
14.12 for services, facilities, or unallocated overhead permitted by this subdivision to be
14.13 nondeclinable, unless otherwise required by law;

14.14 (13) the price range for the markers and headstones offered by the funeral provider,
14.15 together with the statement "A complete price list will be provided at the funeral
14.16 establishment or marker or headstone sale location." or the prices of individual markers and
14.17 headstones, as disclosed in the manner described in paragraphs (c) and (d); and

14.18 (14) any package priced funerals offered must be listed in addition to and following the
14.19 information required in paragraph (e) and must clearly state the funeral goods and services
14.20 being offered, the price being charged for those goods and services, and the discounted
14.21 savings.

14.22 (f) Funeral providers must give an itemized written statement, for retention, to each
14.23 consumer who arranges an at-need funeral or other disposition of human remains at the
14.24 conclusion of the discussion of the arrangements. The itemized written statement must be
14.25 signed by the consumer selecting the goods and services as required in section 149A.80. If
14.26 the statement is provided by a funeral establishment, the statement must be signed by the
14.27 licensed funeral director or mortician planning the arrangements. If the statement is provided
14.28 by any other funeral provider, the statement must be signed by an authorized agent of the
14.29 funeral provider. The statement must list the funeral goods, funeral services, burial site
14.30 goods, or burial site services selected by that consumer and the prices to be paid for each
14.31 item, specifically itemized cash advance items (these prices must be given to the extent then
14.32 known or reasonably ascertainable if the prices are not known or reasonably ascertainable,
14.33 a good faith estimate shall be given and a written statement of the actual charges shall be
14.34 provided before the final bill is paid), and the total cost of goods and services selected. At
14.35 the conclusion of an at-need arrangement, the funeral provider is required to give the

15.1 consumer a copy of the signed itemized written contract that must contain the information
 15.2 required in this paragraph.

15.3 (g) Upon receiving actual notice of the death of an individual with whom a funeral
 15.4 provider has entered a preneed funeral agreement, the funeral provider must provide a copy
 15.5 of all preneed funeral agreement documents to the person who controls final disposition of
 15.6 the human remains or to the designee of the person controlling disposition. The person
 15.7 controlling final disposition shall be provided with these documents at the time of the
 15.8 person's first in-person contact with the funeral provider, if the first contact occurs in person
 15.9 at a funeral establishment, alkaline hydrolysis or natural organic reduction facility, crematory,
 15.10 or other place of business of the funeral provider. If the contact occurs by other means or
 15.11 at another location, the documents must be provided within 24 hours of the first contact.

15.12 Sec. 25. Minnesota Statutes 2020, section 149A.71, subdivision 4, is amended to read:

15.13 Subd. 4. **Casket, alternate container, alkaline hydrolysis or natural organic reduction**
 15.14 **container, and cremation container sales; records; required disclosures.** Any funeral
 15.15 provider who sells or offers to sell a casket, alternate container, alkaline hydrolysis or natural
 15.16 organic reduction container, hydrolyzed or naturally reduced remains container, cremation
 15.17 container, or cremated remains container to the public must maintain a record of each sale
 15.18 that includes the name of the purchaser, the purchaser's mailing address, the name of the
 15.19 decedent, the date of the decedent's death, and the place of death. These records shall be
 15.20 open to inspection by the regulatory agency. Any funeral provider selling a casket, alternate
 15.21 container, or cremation container to the public, and not having charge of the final disposition
 15.22 of the dead human body, shall provide a copy of the statutes and rules controlling the
 15.23 removal, preparation, transportation, arrangements for disposition, and final disposition of
 15.24 a dead human body. This subdivision does not apply to morticians, funeral directors, funeral
 15.25 establishments, crematories, or wholesale distributors of caskets, alternate containers,
 15.26 alkaline hydrolysis or natural organic reduction containers, or cremation containers.

15.27 Sec. 26. Minnesota Statutes 2020, section 149A.72, subdivision 3, is amended to read:

15.28 Subd. 3. **Casket for alkaline hydrolysis, natural organic reduction, or cremation**
 15.29 **provisions; deceptive acts or practices.** In selling or offering to sell funeral goods or
 15.30 funeral services to the public, it is a deceptive act or practice for a funeral provider to
 15.31 represent that a casket is required for alkaline hydrolysis, natural organic reduction, or
 15.32 cremations by state or local law or otherwise.

16.1 Sec. 27. Minnesota Statutes 2020, section 149A.72, subdivision 3a, is amended to read:

16.2 Subd. 3a. **Casket for alkaline hydrolysis or natural organic reduction provision;**
 16.3 **preventive measures.** To prevent deceptive acts or practices, funeral providers must place
 16.4 the following disclosure in immediate conjunction with the prices shown for alkaline
 16.5 hydrolysis or natural organic reduction: "Minnesota law does not require you to purchase
 16.6 a casket for alkaline hydrolysis or natural organic reduction. If you want to arrange for
 16.7 alkaline hydrolysis or natural organic reduction, you can use an alkaline hydrolysis or natural
 16.8 organic reduction container. An alkaline hydrolysis or natural organic reduction container
 16.9 is a hydrolyzable or biodegradable closed container or pouch resistant to leakage of bodily
 16.10 fluids that encases the body and into which a dead human body is placed prior to insertion
 16.11 into an alkaline hydrolysis or natural organic reduction vessel. The containers we provide
 16.12 are (specify containers provided)." This disclosure is required only if the funeral provider
 16.13 arranges alkaline hydrolysis or natural organic reduction.

16.14 Sec. 28. Minnesota Statutes 2020, section 149A.72, subdivision 9, is amended to read:

16.15 Subd. 9. **Deceptive acts or practices.** In selling or offering to sell funeral goods, funeral
 16.16 services, burial site goods, or burial site services to the public, it is a deceptive act or practice
 16.17 for a funeral provider to represent that federal, state, or local laws, or particular cemeteries,
 16.18 alkaline hydrolysis facilities, natural organic reduction facilities, or crematories require the
 16.19 purchase of any funeral goods, funeral services, burial site goods, or burial site services
 16.20 when that is not the case.

16.21 Sec. 29. Minnesota Statutes 2020, section 149A.73, subdivision 1, is amended to read:

16.22 Subdivision 1. **Casket for alkaline hydrolysis, natural organic reduction, or cremation**
 16.23 **provisions; deceptive acts or practices.** In selling or offering to sell funeral goods, funeral
 16.24 services, burial site goods, or burial site services to the public, it is a deceptive act or practice
 16.25 for a funeral provider to require that a casket be purchased for alkaline hydrolysis, natural
 16.26 organic reduction, or cremation.

16.27 Sec. 30. Minnesota Statutes 2020, section 149A.73, subdivision 2, is amended to read:

16.28 Subd. 2. **Casket for alkaline hydrolysis, natural organic reduction, or cremation;**
 16.29 **preventive requirements.** To prevent unfair or deceptive acts or practices, if funeral
 16.30 providers arrange for alkaline hydrolysis, natural organic reduction, or cremations, they
 16.31 must make an alkaline hydrolysis or natural organic reduction container or cremation
 16.32 container available for alkaline hydrolysis, natural organic reduction, or cremations.

17.1 Sec. 31. Minnesota Statutes 2020, section 149A.74, subdivision 1, is amended to read:

17.2 Subdivision 1. **Services provided without prior approval; deceptive acts or**
 17.3 **practices.** In selling or offering to sell funeral goods or funeral services to the public, it is
 17.4 a deceptive act or practice for any funeral provider to embalm a dead human body unless
 17.5 state or local law or regulation requires embalming in the particular circumstances regardless
 17.6 of any funeral choice which might be made, or prior approval for embalming has been
 17.7 obtained from an individual legally authorized to make such a decision. In seeking approval
 17.8 to embalm, the funeral provider must disclose that embalming is not required by law except
 17.9 in certain circumstances; that a fee will be charged if a funeral is selected which requires
 17.10 embalming, such as a funeral with viewing; and that no embalming fee will be charged if
 17.11 the family selects a service which does not require embalming, such as direct alkaline
 17.12 hydrolysis, direct natural organic reduction, direct cremation, or immediate burial.

17.13 Sec. 32. Minnesota Statutes 2020, section 149A.94, subdivision 1, is amended to read:

17.14 Subdivision 1. **Generally.** Every dead human body lying within the state, except
 17.15 unclaimed bodies delivered for dissection by the medical examiner, those delivered for
 17.16 anatomical study pursuant to section 149A.81, subdivision 2, or lawfully carried through
 17.17 the state for the purpose of disposition elsewhere; and the remains of any dead human body
 17.18 after dissection or anatomical study, shall be decently buried or entombed in a public or
 17.19 private cemetery, alkaline hydrolyzed, naturally reduced, or cremated within a reasonable
 17.20 time after death. Where final disposition of a body will not be accomplished within 72 hours
 17.21 following death or release of the body by a competent authority with jurisdiction over the
 17.22 body, the body must be properly embalmed, refrigerated, or packed with dry ice. A body
 17.23 may not be kept in refrigeration for a period exceeding six calendar days, or packed in dry
 17.24 ice for a period that exceeds four calendar days, from the time of death or release of the
 17.25 body from the coroner or medical examiner.

17.26 Sec. 33. Minnesota Statutes 2020, section 149A.94, subdivision 4, is amended to read:

17.27 Subd. 4. **Alkaline hydrolysis, natural organic reduction, or cremation.** Inurnment
 17.28 of alkaline hydrolyzed, naturally reduced, or cremated remains and release to an appropriate
 17.29 party is considered final disposition and no further permits or authorizations are required
 17.30 for transportation, interment, entombment, or placement of the ~~cremated~~ remains, except
 17.31 as provided in section 149A.95, subdivision 16.

18.1 Sec. 34. Minnesota Statutes 2020, section 149A.941, is amended to read:

18.2 **149A.941 ALKALINE HYDROLYSIS AND NATURAL ORGANIC REDUCTION**
18.3 **FACILITIES AND; ALKALINE HYDROLYSIS AND NATURAL ORGANIC**
18.4 **REDUCTION.**

18.5 Subdivision 1. **License required.** A dead human body may only be hydrolyzed or
18.6 naturally reduced in this state at an alkaline hydrolysis or natural organic reduction facility
18.7 licensed by the commissioner of health.

18.8 Subd. 2. **General requirements.** Any building to be used as an alkaline hydrolysis or
18.9 natural organic reduction facility must comply with all applicable local and state building
18.10 codes, zoning laws and ordinances, wastewater management regulations, and environmental
18.11 statutes, rules, and standards. An alkaline hydrolysis or natural organic reduction facility
18.12 must have, on site, a purpose built human alkaline hydrolysis or natural organic reduction
18.13 system approved by the commissioner of health, a system approved by the commissioner
18.14 of health for drying the hydrolyzed remains, a motorized mechanical device approved by
18.15 the commissioner of health for processing hydrolyzed or naturally reduced remains, and in
18.16 the building a holding facility approved by the commissioner of health for the retention of
18.17 dead human bodies awaiting alkaline hydrolysis or natural organic reduction. The holding
18.18 facility must be secure from access by anyone except the authorized personnel of the alkaline
18.19 hydrolysis or natural organic reduction facility, preserve the dignity of the remains, and
18.20 protect the health and safety of the alkaline hydrolysis or natural organic reduction facility
18.21 personnel.

18.22 Subd. 3. **Lighting and ventilation.** The room where the alkaline hydrolysis or natural
18.23 organic reduction vessel is located and the room where the chemical storage takes place
18.24 shall be properly lit and ventilated with an exhaust fan that provides at least 12 air changes
18.25 per hour.

18.26 Subd. 4. **Plumbing connections.** All plumbing fixtures, water supply lines, plumbing
18.27 vents, and waste drains shall be properly vented and connected pursuant to the Minnesota
18.28 Plumbing Code. The alkaline hydrolysis or natural organic reduction facility shall be
18.29 equipped with a functional sink with hot and cold running water.

18.30 Subd. 5. **Flooring, walls, ceiling, doors, and windows.** The room where the alkaline
18.31 hydrolysis or natural organic reduction vessel is located and the room where the chemical
18.32 storage takes place shall have nonporous flooring, so that a sanitary condition is provided.
18.33 The walls and ceiling of the room where the alkaline hydrolysis or natural organic reduction
18.34 vessel is located and the room where the chemical storage takes place shall run from floor

19.1 to ceiling and be covered with tile, or by plaster or sheetrock painted with washable paint
19.2 or other appropriate material so that a sanitary condition is provided. The doors, walls,
19.3 ceiling, and windows shall be constructed to prevent odors from entering any other part of
19.4 the building. All windows or other openings to the outside must be screened, and all windows
19.5 must be treated in a manner that prevents viewing into the room where the alkaline hydrolysis
19.6 or natural organic reduction vessel is located and the room where the chemical storage takes
19.7 place. A viewing window for authorized family members or their designees is not a violation
19.8 of this subdivision.

19.9 Subd. 6. **Equipment and supplies.** The alkaline hydrolysis facility must have a functional
19.10 emergency eye wash and quick drench shower.

19.11 Subd. 7. **Access and privacy.** (a) The room where the alkaline hydrolysis or natural
19.12 organic reduction vessel is located and the room where the chemical storage takes place
19.13 must be private and have no general passageway through it. The room shall, at all times,
19.14 be secure from the entrance of unauthorized persons. Authorized persons are:

19.15 (1) licensed morticians;

19.16 (2) registered interns or students as described in section 149A.91, subdivision 6;

19.17 (3) public officials or representatives in the discharge of their official duties;

19.18 (4) trained alkaline hydrolysis or natural organic reduction facility operators; and

19.19 (5) the person or persons with the right to control the dead human body as defined in
19.20 section 149A.80, subdivision 2, and their designees.

19.21 (b) Each door allowing ingress or egress shall carry a sign that indicates that the room
19.22 is private and access is limited. All authorized persons who are present in or enter the room
19.23 where the alkaline hydrolysis or natural organic reduction vessel is located while a body is
19.24 being prepared for final disposition must be attired according to all applicable state and
19.25 federal regulations regarding the control of infectious disease and occupational and workplace
19.26 health and safety.

19.27 Subd. 8. **Sanitary conditions and permitted use.** The room where the alkaline hydrolysis
19.28 or natural organic reduction vessel is located and the room where the chemical storage takes
19.29 place and all fixtures, equipment, instruments, receptacles, clothing, and other appliances
19.30 or supplies stored or used in the room must be maintained in a clean and sanitary condition
19.31 at all times.

20.1 Subd. 9. **Boiler use.** When a boiler is required by the manufacturer of the alkaline
20.2 hydrolysis or natural organic reduction vessel for its operation, all state and local regulations
20.3 for that boiler must be followed.

20.4 Subd. 10. **Occupational and workplace safety.** All applicable provisions of state and
20.5 federal regulations regarding exposure to workplace hazards and accidents shall be followed
20.6 in order to protect the health and safety of all authorized persons at the alkaline hydrolysis
20.7 or natural organic reduction facility.

20.8 Subd. 11. **Licensed personnel.** A licensed alkaline hydrolysis or natural organic reduction
20.9 facility must employ a licensed mortician to carry out the process of alkaline hydrolysis or
20.10 natural organic reduction of a dead human body. It is the duty of the licensed alkaline
20.11 hydrolysis or natural organic reduction facility to provide proper procedures for all personnel,
20.12 and the licensed alkaline hydrolysis or natural organic reduction facility shall be strictly
20.13 accountable for compliance with this chapter and other applicable state and federal regulations
20.14 regarding occupational and workplace health and safety.

20.15 Subd. 12. **Authorization to hydrolyze or naturally reduce required.** No alkaline
20.16 hydrolysis or natural organic reduction facility shall hydrolyze, naturally reduce or cause
20.17 to be hydrolyzed or naturally reduced any dead human body or identifiable body part without
20.18 receiving written authorization to do so from the person or persons who have the legal right
20.19 to control disposition as described in section 149A.80 or the person's legal designee. The
20.20 written authorization must include:

20.21 (1) the name of the deceased and the date of death of the deceased;

20.22 (2) a statement authorizing the alkaline hydrolysis or natural organic reduction facility
20.23 to hydrolyze or naturally reduce the body;

20.24 (3) the name, address, telephone number, relationship to the deceased, and signature of
20.25 the person or persons with legal right to control final disposition or a legal designee;

20.26 (4) directions for the disposition of any nonhydrolyzed or naturally reduced materials
20.27 or items recovered from the alkaline hydrolysis or natural organic reduction vessel;

20.28 (5) acknowledgment that the hydrolyzed or naturally reduced remains will be dried and
20.29 mechanically reduced to a granulated appearance and placed in an appropriate container
20.30 and authorization to place any hydrolyzed or naturally reduced remains that a selected urn
20.31 or container will not accommodate into a temporary container;

20.32 (6) acknowledgment that, even with the exercise of reasonable care, it is not possible to
20.33 recover all particles of the hydrolyzed or naturally reduced remains and that some particles

21.1 may inadvertently become commingled with particles of other hydrolyzed or naturally
21.2 reduced remains that remain in the alkaline hydrolysis or natural organic reduction vessel
21.3 or other mechanical devices used to process the hydrolyzed or naturally reduced remains;
21.4 (7) directions for the ultimate disposition of the hydrolyzed or naturally reduced remains;
21.5 and

21.6 (8) a statement that includes, but is not limited to, the following information: "During
21.7 the alkaline hydrolysis process, chemical dissolution using heat, water, and an alkaline
21.8 solution is used to chemically break down the human tissue and the hydrolyzable alkaline
21.9 hydrolysis container. After the process is complete, the liquid effluent solution contains the
21.10 chemical by-products of the alkaline hydrolysis process except for the deceased's bone
21.11 fragments. The solution is cooled and released according to local environmental regulations.
21.12 A water rinse is applied to the hydrolyzed remains which are then dried and processed to
21.13 facilitate inurnment or scattering."

21.14 Subd. 13. **Limitation of liability.** A licensed alkaline hydrolysis or natural organic
21.15 reduction facility acting in good faith, with reasonable reliance upon an authorization to
21.16 hydrolyze or naturally reduce, pursuant to an authorization to hydrolyze or naturally reduce
21.17 and in an otherwise lawful manner, shall be held harmless from civil liability and criminal
21.18 prosecution for any actions taken by the alkaline hydrolysis or natural organic reduction
21.19 facility.

21.20 Subd. 14. **Acceptance of delivery of body.** (a) No dead human body shall be accepted
21.21 for final disposition by alkaline hydrolysis or natural organic reduction unless:

21.22 (1) encased in an appropriate alkaline hydrolysis or natural organic reduction container;

21.23 (2) accompanied by a disposition permit issued pursuant to section 149A.93, subdivision
21.24 3, including a photocopy of the completed death record or a signed release authorizing
21.25 alkaline hydrolysis or natural organic reduction of the body received from the coroner or
21.26 medical examiner; and

21.27 (3) accompanied by an alkaline hydrolysis or natural organic reduction authorization
21.28 that complies with subdivision 12.

21.29 (b) An alkaline hydrolysis or natural organic reduction facility shall refuse to accept
21.30 delivery of an alkaline hydrolysis container where there is:

21.31 (1) evidence of leakage of fluids from the alkaline hydrolysis or natural organic reduction
21.32 container;

22.1 (2) a known dispute concerning hydrolysis or natural organic reduction of the body
 22.2 delivered;

22.3 (3) a reasonable basis for questioning any of the representations made on the written
 22.4 authorization to hydrolyze or naturally reduce; or

22.5 (4) any other lawful reason.

22.6 Subd. 15. **Bodies awaiting hydrolysis.** A dead human body must be hydrolyzed within
 22.7 24 hours of the alkaline hydrolysis facility accepting legal and physical custody of the body.

22.8 Subd. 16. **Handling of alkaline hydrolysis or natural organic reduction containers**
 22.9 **for dead human bodies.** All alkaline hydrolysis or natural organic reduction facility
 22.10 employees handling alkaline hydrolysis or natural organic reduction containers for dead
 22.11 human bodies shall use universal precautions and otherwise exercise all reasonable
 22.12 precautions to minimize the risk of transmitting any communicable disease from the body.
 22.13 No dead human body shall be removed from the container in which it is delivered.

22.14 Subd. 17. **Identification of body.** All licensed alkaline hydrolysis or natural organic
 22.15 reduction facilities shall develop, implement, and maintain an identification procedure
 22.16 whereby dead human bodies can be identified from the time the alkaline hydrolysis or
 22.17 natural organic reduction facility accepts delivery of the remains until the ~~hydrolyzed~~ remains
 22.18 are released to an authorized party. After hydrolyzation or natural organic reduction, an
 22.19 identifying disk, tab, or other permanent label shall be placed within the ~~hydrolyzed~~ remains
 22.20 container before the ~~hydrolyzed~~ remains are released from the alkaline hydrolysis or natural
 22.21 organic reduction facility. Each identification disk, tab, or label shall have a number that
 22.22 shall be recorded on all paperwork regarding the decedent. This procedure shall be designed
 22.23 to reasonably ensure that the proper body is hydrolyzed or naturally reduced and that the
 22.24 ~~hydrolyzed~~ remains are returned to the appropriate party. Loss of all or part of the ~~hydrolyzed~~
 22.25 remains or the inability to individually identify the ~~hydrolyzed~~ remains is a violation of this
 22.26 subdivision.

22.27 Subd. 18. **Alkaline hydrolysis vessel for human remains.** A licensed alkaline hydrolysis
 22.28 or natural organic reduction facility shall knowingly hydrolyze or naturally reduce only
 22.29 dead human bodies or human remains in an alkaline hydrolysis or natural organic reduction
 22.30 vessel, along with the alkaline hydrolysis or natural organic reduction container used for
 22.31 infectious disease control.

22.32 Subd. 19. **Alkaline hydrolysis or natural organic reduction procedures; privacy.** The
 22.33 final disposition of dead human bodies by alkaline hydrolysis or natural organic reduction
 22.34 shall be done in privacy. Unless there is written authorization from the person with the legal

23.1 right to control the disposition, only authorized ~~alkaline hydrolysis~~ facility personnel shall
 23.2 be permitted in the alkaline hydrolysis or natural organic reduction area while any dead
 23.3 human body is ~~in the alkaline hydrolysis area~~ awaiting alkaline hydrolysis or natural organic
 23.4 reduction, in the ~~alkaline hydrolysis~~ vessel, being removed from the ~~alkaline hydrolysis~~
 23.5 vessel, or being processed and placed in a ~~hydrolyzed~~ remains container.

23.6 Subd. 20. **Alkaline hydrolysis or natural organic reduction procedures; commingling**
 23.7 **of ~~hydrolyzed~~ remains prohibited.** Except with the express written permission of the
 23.8 person with the legal right to control the disposition, no alkaline hydrolysis or natural organic
 23.9 reduction facility shall hydrolyze or naturally reduce more than one dead human body at
 23.10 the same time and in the same ~~alkaline hydrolysis~~ vessel, or introduce a second dead human
 23.11 body into ~~an alkaline hydrolysis~~ a vessel until reasonable efforts have been employed to
 23.12 remove all fragments of the preceding ~~hydrolyzed~~ remains, or hydrolyze or naturally reduce
 23.13 a dead human body and other human remains at the same time and in the same ~~alkaline~~
 23.14 ~~hydrolysis~~ vessel. This section does not apply where commingling of human remains during
 23.15 alkaline hydrolysis or natural organic reduction is otherwise provided by law. The fact that
 23.16 there is incidental and unavoidable residue in the ~~alkaline hydrolysis~~ vessel used in a prior
 23.17 hydrolyzation or natural organic reduction is not a violation of this subdivision.

23.18 Subd. 21. **Alkaline hydrolysis or natural organic reduction procedures; removal**
 23.19 **from ~~alkaline hydrolysis~~ vessel.** Upon completion of the alkaline hydrolysis or natural
 23.20 organic reduction process, reasonable efforts shall be made to remove from the ~~alkaline~~
 23.21 ~~hydrolysis~~ vessel all of the recoverable ~~hydrolyzed~~ remains and ~~nonhydrolyzed~~ materials
 23.22 or items. Further, all reasonable efforts shall be made to separate and recover the
 23.23 nonhydrolyzed materials or items from the hydrolyzed human remains and dispose of these
 23.24 materials in a lawful manner, by the alkaline hydrolysis facility. The ~~hydrolyzed~~ human
 23.25 remains shall be placed in an appropriate container to be transported to the processing area.

23.26 Subd. 22. **Drying device or mechanical processor procedures; commingling of**
 23.27 **~~hydrolyzed~~ remains prohibited.** Except with the express written permission of the person
 23.28 with the legal right to control the final disposition or otherwise provided by law, no alkaline
 23.29 hydrolysis or natural organic reduction facility shall dry or mechanically process the
 23.30 ~~hydrolyzed~~ human remains of more than one body at a time in the same drying device or
 23.31 mechanical processor, or introduce the ~~hydrolyzed~~ human remains of a second body into a
 23.32 drying device or mechanical processor until processing of any preceding ~~hydrolyzed~~ human
 23.33 remains has been terminated and reasonable efforts have been employed to remove all
 23.34 fragments of the preceding ~~hydrolyzed~~ remains. The fact that there is incidental and
 23.35 unavoidable residue in the drying device, the mechanical processor, or any container used

24.1 in a prior alkaline hydrolysis or natural organic reduction process, is not a violation of this
24.2 provision.

24.3 Subd. 23. **Alkaline hydrolysis or natural organic reduction procedures; processing**
24.4 **hydrolyzed remains.** The hydrolyzed human remains shall be dried and then reduced by
24.5 a motorized mechanical device to a granulated appearance appropriate for final disposition
24.6 and placed in an alkaline hydrolysis or natural organic reduction remains container along
24.7 with the appropriate identifying disk, tab, or permanent label. Processing must take place
24.8 within the licensed alkaline hydrolysis facility or natural organic reduction facility. Dental
24.9 gold, silver or amalgam, jewelry, or mementos, to the extent that they can be identified,
24.10 may be removed prior to processing the hydrolyzed or naturally reduced remains, only by
24.11 staff licensed or registered by the commissioner of health; however, any dental gold and
24.12 silver, jewelry, or mementos that are removed shall be returned to the hydrolyzed remains
24.13 container unless otherwise directed by the person or persons having the right to control the
24.14 final disposition. Every person who removes or possesses dental gold or silver, jewelry, or
24.15 mementos from any hydrolyzed remains without specific written permission of the person
24.16 or persons having the right to control those remains is guilty of a misdemeanor. The fact
24.17 that residue and any unavoidable dental gold or dental silver, or other precious metals remain
24.18 in the ~~alkaline hydrolysis~~ vessel or other equipment or any container used in a prior hydrolysis
24.19 or natural organic reduction is not a violation of this section.

24.20 Subd. 24. **Alkaline hydrolysis or natural organic reduction procedures; container**
24.21 **of insufficient capacity.** If a hydrolyzed or natural organic reduction remains container is
24.22 of insufficient capacity to accommodate all hydrolyzed remains of a given dead human
24.23 body, subject to directives provided in the written authorization to hydrolyze or naturally
24.24 reduce, the alkaline hydrolysis or natural organic reduction facility shall place the excess
24.25 hydrolyzed remains in a secondary ~~alkaline hydrolysis~~ remains container and attach the
24.26 second container, in a manner so as not to be easily detached through incidental contact, to
24.27 the primary ~~alkaline hydrolysis~~ remains container. The secondary container shall contain a
24.28 duplicate of the identification disk, tab, or permanent label that was placed in the primary
24.29 container and all paperwork regarding the given body shall include a notation that the
24.30 hydrolyzed remains were placed in two containers. Keepsake jewelry or similar miniature
24.31 hydrolyzed remains containers are not subject to the requirements of this subdivision.

24.32 Subd. 25. **Disposition procedures; commingling of hydrolyzed or naturally reduced**
24.33 **remains prohibited.** No hydrolyzed or naturally reduced remains shall be disposed of or
24.34 scattered in a manner or in a location where the hydrolyzed remains are commingled with
24.35 those of another person without the express written permission of the person with the legal

25.1 right to control disposition or as otherwise provided by law. This subdivision does not apply
25.2 to the scattering or burial of ~~hydrolyzed~~ remains at sea or in a body of water from individual
25.3 containers, to the scattering or burial of ~~hydrolyzed~~ remains in a dedicated cemetery, to the
25.4 disposal in a dedicated cemetery of accumulated residue removed from an alkaline hydrolysis
25.5 or natural organic reduction vessel or other ~~alkaline hydrolysis~~ equipment, to the inurnment
25.6 of members of the same family in a common container designed for the ~~hydrolyzed~~ remains
25.7 of more than one body, or to the inurnment in a container or interment in a space that has
25.8 been previously designated, at the time of sale or purchase, as being intended for the
25.9 inurnment or interment of the ~~hydrolyzed~~ remains of more than one person.

25.10 Subd. 26. **Alkaline hydrolysis or natural organic reduction procedures; disposition**
25.11 **of accumulated residue.** Every alkaline hydrolysis or natural organic reduction facility
25.12 shall provide for the removal and disposition in a dedicated cemetery of any accumulated
25.13 residue from any alkaline hydrolysis or natural organic reduction vessel, drying device,
25.14 mechanical processor, container, or other equipment used in alkaline hydrolysis or natural
25.15 organic reduction. Disposition of accumulated residue shall be according to the regulations
25.16 of the dedicated cemetery and any applicable local ordinances.

25.17 Subd. 27. **Alkaline hydrolysis or natural organic reduction procedures; release of**
25.18 **~~hydrolyzed~~ remains.** Following completion of the hydrolyzation or natural organic reduction,
25.19 the inurned ~~hydrolyzed~~ remains shall be released according to the instructions given on the
25.20 written authorization to hydrolyze or naturally reduce. If the ~~hydrolyzed~~ remains are to be
25.21 shipped, they must be securely packaged and transported by a method which has an internal
25.22 tracing system available and which provides for a receipt signed by the person accepting
25.23 delivery. Where there is a dispute over release or disposition of the ~~hydrolyzed~~ remains, an
25.24 alkaline hydrolysis or natural organic reduction facility may deposit the ~~hydrolyzed~~ remains
25.25 with a court of competent jurisdiction pending resolution of the dispute or retain the
25.26 ~~hydrolyzed~~ remains until the person with the legal right to control disposition presents
25.27 satisfactory indication that the dispute is resolved.

25.28 Subd. 28. **Unclaimed ~~hydrolyzed~~ remains.** If, after 30 calendar days following the
25.29 inurnment, the ~~hydrolyzed~~ remains are not claimed or disposed of according to the written
25.30 authorization to hydrolyze or naturally reduce, the alkaline hydrolysis or natural organic
25.31 reduction facility or funeral establishment may give written notice, by certified mail, to the
25.32 person with the legal right to control the final disposition or a legal designee, that the
25.33 ~~hydrolyzed~~ remains are unclaimed and requesting further release directions. Should the
25.34 ~~hydrolyzed~~ remains be unclaimed 120 calendar days following the mailing of the written
25.35 notification, the alkaline hydrolysis or natural organic reduction facility or funeral

26.1 establishment may dispose of the ~~hydrolyzed~~ remains in any lawful manner deemed
26.2 appropriate.

26.3 Subd. 29. **Required records.** Every alkaline hydrolysis or natural organic reduction
26.4 facility shall create and maintain on its premises or other business location in Minnesota an
26.5 accurate record of every hydrolyzation or natural organic reduction provided. The record
26.6 shall include all of the following information for each hydrolyzation or natural organic
26.7 reduction:

26.8 (1) the name of the person or funeral establishment delivering the body for alkaline
26.9 hydrolysis or natural organic reduction;

26.10 (2) the name of the deceased and the identification number assigned to the body;

26.11 (3) the date of acceptance of delivery;

26.12 (4) the names of the alkaline hydrolysis or natural organic reduction vessel, drying
26.13 device, and mechanical processor operator, if applicable;

26.14 (5) the time and date that the body was placed in and the remains removed from the
26.15 alkaline hydrolysis or natural organic reduction vessel;

26.16 (6) the time and date that processing and inurnment of the ~~hydrolyzed~~ remains was
26.17 completed;

26.18 (7) the time, date, and manner of release of the ~~hydrolyzed~~ remains;

26.19 (8) the name and address of the person who signed the authorization to hydrolyze or
26.20 naturally reduce;

26.21 (9) all supporting documentation, including any transit or disposition permits, a photocopy
26.22 of the death record, and the authorization to hydrolyze or naturally reduce; and

26.23 (10) the type of alkaline hydrolysis or natural organic reduction container.

26.24 Subd. 30. **Retention of records.** Records required under subdivision 29 shall be
26.25 maintained for a period of three calendar years after the release of the ~~hydrolyzed~~ remains.
26.26 Following this period and subject to any other laws requiring retention of records, the
26.27 alkaline hydrolysis or natural organic reduction facility may then place the records in storage
26.28 or reduce them to microfilm, microfiche, laser disc, or any other method that can produce
26.29 an accurate reproduction of the original record, for retention for a period of ten calendar
26.30 years from the date of release of the ~~hydrolyzed~~ remains. At the end of this period and
26.31 subject to any other laws requiring retention of records, the alkaline hydrolysis or natural

- 27.1 organic reduction facility may destroy the records by shredding, incineration, or any other
- 27.2 manner that protects the privacy of the individuals identified.