

1 Department of Health

2

3 Adopted Rules Relating to Health, Morticians, Funeral Directors,
4 Fees, and Licensing

5

6 Rules as Adopted

7 4610.0200 RESIDENT TRAINEE IN MORTUARY SCIENCE.

8 A person shall be permitted to register as a resident
9 trainee after that person has completed 45 credit hours or 30
10 semester hours, during the first year of academic training as
11 provided in Minnesota Statutes, section 149.03.

12 All service in mortuary science shall be performed by a
13 resident trainee under the direction of and responsibility of
14 the licensed person under whom the trainee is registered. A
15 trainee shall be registered under only one mortician at any
16 given time.

17 A licensed mortician shall have only one trainee registered
18 to him or her at any given time.

19 4610.0300 RESIDENT TRAINEE REGISTRATION.

20 Resident trainee registration with the commissioner of
21 health shall show the date on which the traineeship began, the
22 name and address of the mortician under whom the trainee is
23 registered, and the name and address of the company,
24 corporation, or firm of which the mortician is the owner,
25 partner, or employee. Discontinuance of training or transfer to
26 some other mortician for service as a trainee shall be
27 immediately reported to the commissioner of health. The trainee
28 shall file with the commissioner of health not less than 25 case
29 reports upon the forms provided by the commissioner, which shall
30 be signed by the mortician under whom the trainee is registered.

31 The application for the initial or renewal registration
32 shall be accompanied by a registration fee in an amount
33 specified in part 4610.2800. The initial and renewal
34 registration shall be issued for the calendar year for which
35 application is made and shall expire on December 31 of each

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1 year. Renewal applications and fees shall be submitted no later
2 than December 31 of the year preceding the year for which
3 application is made.

4 Trainee registration shall be permitted for no more than
5 three years; provided that for good cause the Mortuary Science
6 Advisory Council may extend the registration for an additional
7 period not to exceed one year.

8 4610.0400 MORTICIANS' QUALIFICATIONS.

9 Subpart 1. Requirements. Every person who wishes to
10 qualify to engage in the practice of mortuary science shall
11 comply with the following requirements.

12 Subp. 2. License. An applicant shall apply to the
13 commissioner of health for a license. The application shall
14 contain the full name of the applicant, age, mailing address,
15 and other pertinent identifying information as the commissioner
16 may require.

17 Subp. 3. Age and education. The applicant shall be at
18 least 18 years of age and shall have successfully completed a
19 minimum of 60 semester or 90 quarter credits at an accredited
20 college or university with credit evaluation in course areas as
21 follows: communications, 12 quarter credits to include speech
22 and English; the social sciences, 20 quarter credits to include
23 sociology and psychology; natural science, 20 quarter credits to
24 include general or inorganic chemistry and biology; health
25 education (to include personal or community health) 4 quarter
26 credits; and elective areas, 34 quarter credits. Following this
27 academic work, the applicant shall have completed and have
28 secured a verification of completion of the prescribed course of
29 study from any college of funeral service education accredited
30 by the American Board of Funeral Service Education.

31 Subp. 4. Examination. After these education
32 qualifications in the order specified have been acquired, the
33 applicant shall attain a satisfactory level of achievement in a
34 comprehensive examination, approved by the commissioner of
35 health in subjects related to the practice of mortuary science

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1 as the commissioner may prescribe. If an applicant for a
 2 license to practice mortuary science has satisfactorily passed
 3 the National Board Examination given by the Conference of
 4 Funeral Service Examining Boards of the U.S., Inc., and is so
 5 certified to the commissioner by the conference, the
 6 commissioner shall, subject to the criteria listed below, accept
 7 the results of the National Board Examination and require the
 8 applicant to pass an examination on the laws of Minnesota and
 9 the rules of the commissioner pertaining to registration of
 10 deaths, embalming, transportation, disposition of dead human
 11 bodies, and funeral directing. In order to accept the results
 12 of the National Board Examination, the commissioner shall first
 13 determine that the knowledge and skills assessed by the
 14 examination adequately and accurately evaluate the knowledge and
 15 skills needed for actual job performance and ensure that the
 16 public health is protected. An applicant who fails to attain a
 17 satisfactory level of achievement on any examination given by or
 18 on behalf of the commissioner may be reexamined.

19 Subp. 5. **Experience.** After successful completion of
 20 required examinations the applicant shall serve at least one
 21 year as a trainee in mortuary science under a mortician licensed
 22 by the state of Minnesota. During this period the applicant
 23 shall be registered as a trainee in mortuary science with the
 24 commissioner and shall participate under the supervision of a
 25 mortician in embalming at least 25 bodies and in the
 26 arrangements and direction of at least 25 funerals.

27 4610.0500 LICENSE APPLICATION, RENEWAL, AND ENDORSEMENT FEES.

28 Subpart 1. **Examination fee.** An applicant for examination
 29 for a license in mortuary science, shall submit an application
 30 to the commissioner on forms provided by the commissioner
 31 together with a fee in an amount specified in part 4610.2800.

32 Subp. 2. **License fee.** When the applicant has successfully
 33 completed the examination and all other requirements for
 34 original license, the applicant shall submit to the commissioner
 35 a license application on a form provided by the commissioner and

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1 a fee in an amount specified in part 4610.2800 payable to, the
2 treasurer, state of Minnesota, after which the license shall be
3 issued.

4 Subp. 3. **License by endorsement.** An applicant for a
5 license in mortuary science by endorsement without examination
6 as to qualifications pursuant to Minnesota Statutes, section
7 149.03, subdivision 2, shall submit an application on forms
8 provided by the commissioner together with a fee in an amount
9 specified in part 4610.2800. The applicant shall pass an
10 examination on the Minnesota laws and rules relating to mortuary
11 science prior to licensure.

12 Subp. 4. [See Repealer.]

13 Subp. 5. **License issuance and renewal.** Initial and
14 renewal mortuary science licenses shall be issued for the
15 calendar year for which application is made and shall expire on
16 December 31 of that year.

17 Renewals shall be obtained on an annual basis. Application
18 for license renewal, together with the renewal fee in an amount
19 specified in part 4610.2800 shall be submitted to the
20 commissioner on forms provided no later than December 31 of the
21 year preceding the year for which application is made. Failure
22 to submit the renewal application and fee by the date specified
23 above shall result in an increase in the fee in an amount
24 specified in part 4610.2800. If the renewal application and fee
25 are not submitted within 31 days after the expiration date, the
26 license shall automatically lapse.

27 4610.0600 FUNERAL DIRECTORS.

28 Subpart 1. **Licensing requirement.** Every person who wishes
29 to qualify to engage in the practice of funeral directing under
30 Minnesota Statutes, chapter 149, shall comply with the following
31 requirements.

32 The applicant shall submit two affidavits from ordained
33 religious leaders of the applicant's faith substantiating the
34 beliefs and convictions of the applicant's faith which forbids
35 the practice of embalming.

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1 The applicant shall be at least 18 years of age, shall have
2 satisfactorily completed at least two years at an accredited
3 college or university with approximate credit evaluation in
4 course areas as follows: speech and English, 12 quarter
5 credits; the social sciences, 20 quarter credits; natural
6 science, 20 quarter credits; health education (to include
7 personal or community health) 4 quarter credits, and elective
8 areas, 34 quarter credits. Following such academic work
9 applicants shall have completed a course of study and submit the
10 applicant's official transcript from any school of mortuary
11 science accredited by the American Board of Funeral Service
12 Education in order to verify completion of all credits with the
13 exception of embalming.

14 After the educational qualifications in the order specified
15 have been acquired, the applicant shall have served at least one
16 year as a trainee in funeral directing under a Minnesota
17 licensed mortician. During the period of practical experience
18 or traineeship the applicant shall have been registered as a
19 trainee in funeral directing with the commissioner and shall
20 have participated under supervision in the arranging and
21 direction of at least 25 funerals. The applicant shall attain a
22 satisfactory level of achievement in a comprehensive written
23 examination given by the commissioner in such subjects as
24 anatomy, microbiology, business methods, chemistry, funeral
25 service directing and funeral service management, pathology,
26 Minnesota laws and rules as they apply to mortuary science, and
27 the practice of funeral directing. An applicant who fails to
28 attain a satisfactory level of achievement may be reexamined at
29 the discretion of the commissioner.

30 **Subp. 3. Application for license.** An applicant for a
31 funeral directors license, by examination, shall submit an
32 application on forms provided by the commissioner together with
33 a fee in an amount specified in part 4610.2800.

34 **Subp. 4. Renewal.** Initial or renewal funeral director
35 licenses shall be issued for the calendar year for which
36 application is made and shall expire on December 31 of such

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1 year. Renewals shall be obtained on an annual basis.
2 Applications for license renewal, together with the renewal fee
3 in an amount specified in part 4610.2800, shall be submitted no
4 later than December 31 of the year preceding the year for which
5 application is made. Failure to submit the renewal application
6 and fee within 31 days of the date specified above shall result
7 in an automatic lapse.

8 Subp. 5. [See Repealer.]

9 4610.0650 FUNERAL ESTABLISHMENT PERMIT.

10 Applications for an original or renewal permit to operate a
11 funeral establishment must be submitted on forms provided by the
12 commissioner together with a fee in an amount specified in part
13 4610.2800. Original permits are effective from the day of
14 issuance to the next June 30. Renewal permits must be issued on
15 an annual basis from July 1 to June 30 of the following year.
16 Failure to submit the renewal application and fee by the
17 expiration date results in an increase in the fee in an amount
18 specified in part 4610.2800. If the renewal application and fee
19 are not paid within 31 days after the expiration date, the
20 permit automatically lapses.

21 4610.0700 COMMUNICABLE DISEASE DEATHS, PRIVATE FUNERALS.

22 Only morticians shall be permitted to take charge of the
23 remains of persons who have died of any communicable disease.
24 When such body is to be transported, preparation shall be in
25 accordance with part 4610.1000.

26 When death is due to communicable disease, the funeral
27 shall be private if so directed by the commissioner.

28 For purposes of this part, a private funeral is a funeral
29 service where contact and viewing of the dead human body may be
30 restricted or limited because of the cause of death to ensure
31 the public's health, safety, and welfare.

32 4610.0800 TRANSPORTATION OF THE DEAD.

33 The transportation of dead human bodies is governed by this
34 part. When a dead human body is transported by public

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1 transportation to a destination outside the state, it must be
2 embalmed. Only a person licensed to engage in the practice of
3 mortuary science shall remove a dead human body from the place
4 of death. Following preparation and embalming of the body,
5 either a mortician or a funeral director shall have charge of
6 such body for the purposes of transportation and final
7 disposition.

8 This part does not apply to nor shall it in any way
9 interfere with the duties of any officer of any public
10 institution, or with the duties of any officer of a medical
11 college, county medical society, anatomical association,
12 accredited college of mortuary science, or to any person engaged
13 in the performance of duties prescribed by law relating to the
14 conditions under which indigent dead human bodies are held
15 subject to anatomical study; duly authorized personnel from a
16 licensed ambulance service in the performance of their duties;
17 the coronor or medical examiner in the performance of the duties
18 of the office as prescribed by Minnesota Statutes, chapter 390;
19 or to the customs or rites of any recognized religion in the
20 burial of their dead.

21 4610.0900 TRANSPORTATION PERMIT.

22 A burial-removal-transit permit shall be required for each
23 dead human body transported by automobile, aircraft, rail, bus,
24 or any other conveyance. It shall be issued by the local
25 registrar of the place of death or a subregistrar or, if
26 necessary to avoid delay, by the state registrar.

27 It shall contain the information required on the permit
28 form as furnished by the commissioner and be properly signed by
29 the local registrar or a subregistrar, the mortician or funeral
30 director, and the person in charge of the conveyance. When the
31 cause of death is a communicable disease the permit shall be
32 signed by the mortician who prepared the body. Where a firm
33 name is used in the signing of the burial-removal-transit permit
34 it shall be supported by the personal signature of a licensed
35 member of the firm.

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1 The burial-removal-transit permit shall be given to the
 2 person in charge of the remains, or attached to the
 3 transportation container, and in either case delivered with the
 4 body at the destination.

5 4610.1000 TRANSPORTING DEAD OF ANY COMMUNICABLE DISEASE.

6 Subpart 1. **Communicable diseases.** The removal and
 7 transportation of bodies dead of communicable diseases as
 8 specified in part 4605.7040 shall be permitted only under the
 9 conditions in subparts 2 to 4.

10 Subp. 2. **Covering body before removal.** Before removal by
 11 any of the conveyances authorized by part 4610.1500, other than
 12 by public transportation, the body shall be wrapped in a
 13 waterproof sheet, properly covered and encased in a secure
 14 pouch, and transported on a regulation ambulance cot, or on an
 15 aircraft ambulance stretcher. Sanitary precautions in the
 16 preparation for removal and in the removal shall be observed for
 17 the protection of the public health.

18 Subp. 3. **Embalming.** In all cases of communicable disease
 19 deaths the body shall be embalmed within 18 hours after death.
 20 When a body, dead from a communicable disease, is held by a
 21 medical institution beyond 18 hours, the body must be embalmed
 22 as soon as possible after that time. Embalming shall include
 23 both arterial and cavity treatment, all orifices, discharging
 24 sinuses, and areas of broken skin closed with absorbent cotton
 25 and the body washed with a disinfecting fluid.

26 Subp. 4. **Public transportation use.** When public
 27 transportation is to be used, embalming is mandatory and an
 28 acceptable container shall be used.

29 4610.1100 TRANSPORTING DEAD BY AIRCRAFT.

30 The transportation of human dead bodies by aircraft shall
 31 be permitted under the following conditions.

32 When the destination is outside the state, a body
 33 transported by aircraft shall be first embalmed. It shall be
 34 transported on a regulation ambulance cot, or aircraft ambulance
 35 stretcher. When transported by public air carrier it shall be

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1 embalmed and enclosed in an acceptable container.

2 Where a death caused by a disease listed as communicable in
3 part 4605.7040 occurs in a remote and inaccessible locality, the
4 body in an emergency may be brought by aircraft to the nearest
5 point having facilities and there embalmed and prepared, as
6 provided in parts 4610.0700 to 4610.1800, before being
7 transported further by aircraft.

8 4610.1200 TRANSPORTING DEAD OF NONCOMMUNICABLE DISEASE.

9 The transportation of human bodies dead of noncommunicable
10 disease shall be permitted under the following conditions:

11 A. When the destination will be reached within 18
12 hours after death, the body shall be enclosed in a casket and a
13 tight outside container. When transportation is to be made by
14 automobile or aircraft, the outside container may be omitted, or
15 the casket and outside container may both be omitted, and in
16 such case the body shall be properly covered and encased in a
17 secured pouch or impermeable sheet and transported on an
18 ambulance cot or aircraft ambulance stretcher.

19 B. When the destination will not be reached within 18
20 hours after time of death or if held by a medical institution
21 beyond the 18 hours' notice of release from place of death, the
22 body shall be thoroughly embalmed and transported in accordance
23 with the provisions in item A. Final disposition must be
24 accomplished within 72 hours for all unembalmed bodies.
25 Refrigeration is not considered a form of preservation or
26 disinfection and does not alter the 72-hour rule.

27 4610.1300 TRANSPORTING DISINTERRED BODIES.

28 No disinterred body dead from any disease or cause shall be
29 transported unless approved, as is required by parts 4610.2400
30 to 4610.2700, by the health authorities having jurisdiction. A
31 burial-removal-transit permit signed by the local registrar or a
32 subregistrar, as provided in part 4610.0900, is required.

33 All disinterred remains shall be enclosed in a sound, tight
34 container and not thereafter opened, provided that bodies in a
35 receiving vault when prepared by morticians shall not be

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1 regarded as disinterred bodies unless the health officer so
2 rules.

3 4610.1500 CONVEYANCES PERMITTED.

4 In the transportation of any dead body, all conveyances or
5 vehicles shall have ample enclosed area to accommodate an
6 ambulance cot or aircraft ambulance stretcher in a horizontal
7 position and shall be so designed as to permit loading or
8 unloading without excessive tilting of the cot.

9 4610.1550 REMOVAL OF INFANTS.

10 Any body measuring less than 36 inches may be transported
11 in a passenger automobile after having been properly covered and
12 encased.

13 For purposes of this part "passenger automobile" means a
14 motor vehicle designed and used for carrying not more than ten
15 persons, including station wagons, but excluding motorcycles and
16 motor scooters.

17 4610.1600 MOVING BODIES LOCALLY.

18 When parts 4610.0800 to 4610.1550 do not apply, embalming
19 is not required if the body is to be buried or cremated within
20 72 hours after death.

21 4610.1700 FORBIDDEN COMPOUNDS IN EMBALMING CHEMICALS.

22 No embalming fluid containing compounds of arsenic,
23 mercury, zinc, or other poisonous metals shall be sold or used
24 in Minnesota for or in the embalming of dead human bodies.

25 In the transport of the dead in Minnesota when embalming is
26 carried out, the fluid shall be of a quality and used in
27 sufficient quantity to properly embalm the body.

28 4610.1800 TRANSPORTATION CONTAINER.

29 Every transportation container shall bear at least four
30 handles and when over five feet six inches in length shall bear
31 six handles.

32 4610.1900 OPENING OF DISINTERRED CASKETS.

33 The opening of caskets containing disinterred remains is

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1 forbidden except when ordered by a court of competent
2 jurisdiction.

3 4610.2000 CREMATED REMAINS.

4 Cremation of a dead human body shall be considered as a
5 final disposition of that body. No additional permit covering
6 transportation, interment, or other disposition of cremains, or
7 concerning the kind of container in which the cremains are
8 placed for preservation or transportation is required. When
9 cremation is selected as a method of disposition, cremation must
10 be accomplished 72 hours from the time of death on all
11 unembalmed bodies.

12 When a container or urn for cremains is offered or
13 provided, it shall be of adequate size to enclose the entire
14 cremains. Commingling of cremains shall not be permitted
15 without written permission from next of kin.

16 4610.2100 SERVING OF FOODSTUFFS IN FUNERAL ESTABLISHMENTS.

17 In the interest of safeguarding public health, safety,
18 welfare, and sanitation, the serving of food to the public in a
19 funeral establishment is prohibited. For the purpose of this
20 part, beverages served in single use disposable containers shall
21 not be considered food.

22 4610.2200 PERMIT FOR DISINTERMENT AND REINTERMENT.

23 No person except a mortician, and then only after first
24 having obtained a permit from the local health officer and the
25 local registrar or a subregistrar, as hereinafter prescribed,
26 shall disinter the body of a deceased person; provided, the
27 authorities in charge of a cemetery may transfer bodies buried
28 therein from one part of the cemetery to another part thereof
29 with the approval and under supervision of the local health
30 officer. Any person desiring a permit shall first secure from
31 the person in charge of the cemetery records a written statement
32 showing that the body is buried in that cemetery and give the
33 name of deceased, age at the time of death, date of death, cause
34 of death, and date of burial. A person shall present this

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1 statement to the proper local health officer and make
2 application for permission to disinter and remove the body.

3 Provided, if there is no cemetery record then a statement
4 by relatives of the deceased or other competent person or
5 persons who are empowered to cause such disinterment and removal
6 shall be presented. If the health officer has cemetery records
7 of the cemeteries in the municipality of the health officer and
8 a record of interment, no written statement need be secured or
9 filed.

10 The local health officer shall question the applicant as to
11 the manner in which it is proposed to disinter, handle, and
12 dispose of the remains, and shall give and enforce directions
13 for disinterment, removal, and reinterment as necessary for the
14 protection of the public health. The local health officer shall
15 notify the local registrar or subregistrar orally or in writing
16 that the application has been approved. The applicant shall
17 apply to the registrar or subregistrar, who shall issue in
18 duplicate a written disinterment-reinterment permit, using the
19 burial-removal-transit form provided by the commissioner of
20 health for original interments and noting on the forms the words
21 "disinterment-reinterment permit."

22 The mortician shall give the sexton or person in charge of
23 any cemetery, burial place, or other premises in which the
24 disinterment is made, a duplicate copy of the
25 disinterment-reinterment form. The sexton or person in charge
26 shall not inter or permit the interment or other disposition of
27 the disinterred body of a deceased person until a
28 disinterment-reinterment permit is received.

29 4610.2300 SANITARY CONDITION OF FUNERAL ESTABLISHMENTS.

30 Subpart 1. [See Repealer.]

31 Subp. 2. Preparation and embalming room. All preparation
32 and embalming rooms shall be maintained in a sanitary manner at
33 all times. A properly lighted and ventilated preparation and
34 embalming room shall be provided in every funeral
35 establishment. It shall have a nonporous floor which shall be

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1 kept clean and free of dust, dirt, refuse, and other
2 contaminates. Each room must have a nonporous preparation and
3 embalming table. The floor, walls, and ceiling of the
4 preparation and embalming room and all embalming tables,
5 dressing tables, temporary tables, removal cots, stretchers, and
6 transportation containers shall be kept in a clean and sanitary
7 condition.

8 The embalming and preparation room shall be provided with a
9 water supply approved by the department of health. Waste from
10 the embalming process shall be directed to an open fixture which
11 is properly vented and connected to the building drainage
12 system. Where a municipal sewerage system is available, the
13 building drainage system shall be discharged into the municipal
14 sewage system; where such a system is not available, the
15 building drainage system must be discharged into a satisfactory
16 private system of waste disposal. There shall be no connection
17 or other arrangement from any plumbing fixture or device whereby
18 unsafe water or other foreign material may be discharged or
19 drawn into a safe water supply. Every plumbing fixture,
20 receptacle, and water supply tank shall be provided with a
21 proper air gap or other acceptable device to prevent backflow
22 into the water supply. (See appendix to plumbing code.)

23 Subp. 3. Removal of waste. Refuse, bandages, cotton, and
24 other wastes shall be collected in approved receptacles as
25 provided in the embalming and preparation room. All waste shall
26 be handled in a sanitary manner and destroyed by incineration.
27 Embalming tables, hoppers, sinks, receptacles, instruments,
28 positioning blocks, and other appliances used in the embalming
29 of dead human bodies shall be thoroughly cleaned immediately
30 upon completion of preparation and embalming.

31 4610.2400 DEFINITIONS.

32 Subpart 1. Application. For the purposes of parts
33 4610.0200 to 4610.2800, the words, terms, and phrases listed in
34 this part shall have the meaning stated, unless the language and
35 context clearly indicates that a different meaning is intended.

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1 Subp. 1a. **Alternative container.** "Alternative container"
2 means a rigid container other than a casket used for burial,
3 cremation, or entombment of a dead human body.

4 Subp. 2. [See Repealer.]

5 Subp. 3. **Cash advance item.** "Cash advance item" means any
6 item of merchandise or service described to a purchaser as a
7 "cash advance," "accommodation," "cash disbursement," or similar
8 term. A cash advance item is also any item obtained from a
9 third party and paid for by the funeral provider on the
10 purchaser's behalf. Cash advance items may include, but are not
11 limited to, the following items: cemetery or crematory
12 services, casket bearers, public transportation, clergy
13 honoraria, flowers, musicians or singers, obituary notices,
14 gratuities, and death certificates.

15 Subp. 4. **Casket.** "Casket" means a container commonly used
16 to enclose a dead human body for the purposes of the funeral and
17 final disposition.

18 Subp. 4a. **Commissioner.** "Commissioner" means commissioner
19 of the Department of Health.

20 Subp. 4b. **Cremains.** "Cremains" means the ashes of a dead
21 human body.

22 Subp. 5. **Cremation.** "Cremation" means the use of direct
23 flames or intense heat to reduce the dead human body to ashes
24 and inorganic bone fragments.

25 Subp. 6. **Destination.** "Destination" means the city or
26 town of final disposition.

27 Subp. 6a. **Direct cremation.** "Direct cremation" means a
28 disposition of human remains by cremation, without formal
29 viewing, visitation, or ceremony with the body present.

30 Subp. 7. [See Repealer.]

31 Subp. 8. **Embalming.** "Embalming" means a process of
32 chemically treating the dead human body to reduce the presence
33 and growth of organisms, to retard organic decomposition and to
34 restore an acceptable physical appearance.

35 Subp. 9. **Funeral service.** "Funeral service" means the
36 rites or ceremonies associated with the disposition of a dead

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1 human body with the body present.

2 Subp. 9a. **Funeral establishment.** "Funeral establishment"
3 has the meaning given the term in Minnesota Statutes, section
4 149.08.

5 Subp. 9b. **Funeral goods.** "Funeral goods" means goods that
6 are sold or offered for sale directly to the public for use in
7 connection with funeral services.

8 Subp. 10. [See Repealer.]

9 Subp. 10a. **Immediate burial.** "Immediate burial" means a
10 disposition of human remains by burial, without formal viewing,
11 visitation, or ceremony with the body present.

12 Subp. 10b. **Memorial service.** "Memorial service" means the
13 rites or ceremonies without the body present.

14 Subp. 10c. **Outer burial container.** "Outer burial
15 container" means a container that is designed for placement in
16 the grave into which the casket is placed including, but not
17 limited to, containers commonly known as burial vaults, grave
18 boxes, and grave liners.

19 Subp. 11. **Preparation of the body.** "Preparation of the
20 body" includes such items of care as washing, disinfecting,
21 shaving, positioning of features, restorative procedures, care
22 of hair, dressing, and casketing.

23 Subp. 12. **Professional services.** "Professional services"
24 includes the provision of staff for arrangements, visitations,
25 funeral, memorial service, final disposition, counseling, and
26 administrative services such as securing and preparing necessary
27 documents.

28 Subp. 12a. **Public transportation.** "Public transportation"
29 means all forms of transportation available to the general
30 public including airlines, buses, and rail.

31 Subp. 13. **Transportation costs.** "Transportation costs"
32 includes the vehicle used for the initial transfer of the
33 deceased, funeral coach, funeral sedans, flower car,
34 service/utility car, and the use of public transportation where
35 needed ~~and others~~.

36 Subp. 14. **Use of facilities.** "Use of facilities" means:

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1 A. provision of chapel or room for the funeral or
2 memorial service and/or provision of facilities for parking,
3 arrangement offices, and other administrative purposes; and

4 B. provision of chapel or room for
5 visitation/reviewal.

6 4610.2500 ITEMIZATION OF FUNERAL COSTS.

7 At the time funeral arrangements are made the mortician or
8 funeral director shall give or cause to be given to the
9 person(s) making arrangements, a written disclosure with the
10 items and costs listed separately as required by Minnesota
11 Statutes, section 149.09, subdivision 1.

12 As a minimum the disclosure shall include a statement of
13 charges for casket, outer burial container, use of facilities
14 for reviewal, use of facilities for funeral services,
15 specifically itemized transportation costs, specifically
16 itemized funeral goods, embalming, preparation of the body,
17 other professional services, anticipated cash advances and
18 expenditures, and if applicable, forwarding of remains,
19 receiving of remains, immediate burials, and direct cremations.
20 When cremation is the method of final disposition the disclosure
21 shall have printed in conspicuous print: "Minnesota law does
22 not require that remains be placed in a casket before or at the
23 time of cremation."

24 A copy of the itemized statement of funeral goods and
25 services selected shall be given the person(s) making funeral
26 arrangements. The contract shall be signed by both parties and
27 the funeral establishment shall retain a copy for three years
28 thereafter.

29 If the charge for any item is not known at the time the
30 contract is entered into, the establishment representative shall
31 give his/her best estimate of the charges and advise the
32 purchaser(s) of the exact charge as soon as the information
33 becomes available.

34 No funeral establishment shall bill or cause to be billed
35 any item that is referred to as a cash advance item unless the

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1 net amount paid for such item or items by the funeral
2 establishment is the same as is billed to the funeral
3 establishment. The term "net" is not meant to include any
4 discounts that may be allowed for prompt payment by the funeral
5 establishment.

6 4610.2700 FORM OF AUTHORIZATION TO EMBALM.

7 The written authorization statement shall be as follows:

8 Authorization to Embalm

9 I authorize _____

10 and its staff, agents or representative to embalm the body of
11 _____. I am a relative of the deceased and/or
12 am entitled to custody of the deceased. I understand that
13 embalming is required by Minnesota law as provided by parts
14 4610.0800 to 4610.1600.

15 1) The deceased is to be sent out of state by public
16 transportation,

17 2) Death is due to communicable disease,

18 3) More than 18 hours will elapse from time of death to
19 arrival at the destination, or

20 4) Final disposition of the deceased is longer than 72
21 hours after death.

22 _____
23 name, relationship

24 _____
25 name, establishment representative
26

27 4610.2800 FEES.

28 Subpart 1. **Generally.** Fees for registration, examination,
29 and licenses under parts 4610.0200 to 4610.0600 are in subparts
30 2 and 3.

31 Subp. 2. **Mortuary science fees.** The following fees are
32 mortuary science fees:

- 33 A. trainee registration and renewal fee, \$25;
- 34 B. examination fee, \$50;
- 35 C. original license fee, \$40;
- 36 D. license by endorsement, \$200;
- 37 E. renewal fee, \$40; and

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1 F. renewal fee late charge, \$10.

2 Subp. 3. Funeral directors. The following fees are
3 funeral director fees:

4 A. application fee, \$50;

5 B. renewal fee, \$40; and

6 C. renewal fee late charge, \$10.

7 Subp. 4. Funeral establishments. The following fees are
8 funeral establishment fees:

9 A. funeral establishment permit fee, \$110;

10 B. renewal permit fee, \$110; and

11 C. renewal permit late charge, \$15.

12

13 RENUMBERING INSTRUCTION. Renumber parts 4610.0200 as
14 4610.0410; 4610.0300 as 4610.0420; and 4610.2100 as 4610.2210.

15

16 REPEALER. Minnesota Rules, parts 4610.0500, subpart 4;
17 4610.0600, subpart 5; 4610.1400; 4610.2300, subpart 1; and
18 4610.2400, subparts 2, 7, and 10; are repealed.