

**149A.92 PREPARATION AND EMBALMING ROOM.**

Subdivision 1. **Exemption.** All funeral establishments having a preparation and embalming room that has not been used for the preparation or embalming of a dead human body in the 12 calendar months prior to July 1, 1997, are exempt from the minimum requirements in subdivisions 2 to 6, except as provided in this section. At the time that ownership of a funeral establishment changes, the physical location of the establishment changes, or the building housing the funeral establishment or business space of the establishment is remodeled the existing preparation and embalming room must be brought into compliance with the minimum standards in this section.

Subd. 2. **Minimum requirements; general.** Every funeral establishment must have a preparation and embalming room. The room shall be of sufficient size and dimensions to accommodate a preparation or embalming table, an approved flush bowl with water connections, a hand sink with water connections, and an instrument table, cabinet, or shelves.

Subd. 3. **Minimum requirements; lighting and ventilation.** The room shall be properly lit and ventilated with an exhaust fan that provides at least 12 air changes per hour and is located so that air is drawn away from the person performing the preparation.

Subd. 4. **Minimum requirements; plumbing connections.** All plumbing fixtures, water supply lines, plumbing vents, and waste drains shall be properly vented and connected pursuant to the Minnesota Plumbing Code. Where a municipal sewerage system is available, the building drainage system shall be discharged into that system. Where a municipal system is not available, the building system must be discharged into an approved private system of waste disposal.

Subd. 5. **Minimum requirements; flooring, walls, ceiling, doors, and windows.** All preparation and embalming rooms shall have nonporous flooring, so that a sanitary condition is provided. The walls and ceiling of the preparation and embalming room shall run from floor to ceiling and be covered with tile, or by plaster or sheetrock painted with washable paint, or other appropriate material so that a sanitary condition is provided. The doors, walls, ceiling, and windows shall be constructed to prevent odors from entering any other part of the building. All windows or other openings to the outside must be screened and all windows must be treated in a manner that prevents viewing into the preparation room from the outside.

Subd. 6. **Minimum requirements; equipment and supplies.** The preparation and embalming room must have a functional aspirator, eye wash, and quick drench shower. Where embalmings are actually performed in the room, the room must be equipped with a preparation and embalming table, a functional method for injection of fluids, and sufficient supplies and instruments for normal operation. The preparation and embalming table shall have a nonporous top of rustproof metal or porcelain, with raised edges around the top of the entire table and a drain opening at the lower end. All supplies must be stored and used in accordance with all applicable state and federal regulations for occupational health and safety.

Subd. 7. **Access and privacy.** The preparation and embalming room must be private and have no general passageway through it. The room shall, at all times, be secure from the entrance of unauthorized persons. Authorized persons are those persons described in section 149A.91, subdivision 2. Each door allowing ingress or egress shall carry a sign that indicates that the room is private and access is limited. All authorized persons who are present in or enter a preparation and embalming room while a body is being prepared for final disposition must be attired in accordance with all applicable state and federal regulations regarding the control of infectious disease and occupational and workplace health and safety.

Subd. 8. **Sanitary conditions and permitted use.** The preparation and embalming room and all fixtures, equipment, instruments, receptacles, clothing, and other appliances or supplies stored or used in the room must be maintained in a clean and sanitary condition at all times. A preparation and embalming room shall not be used for any other purposes.

Subd. 9. **Waste disposal.** Infectious and pathological waste generated in preparation of the body shall be handled and disposed of according to the Infectious Waste Control Act, sections 116.75 to 116.83, and packaged for disposal in the manner prescribed by rules.

Subd. 10. **Occupational and workplace safety.** All applicable provisions of state and federal regulations regarding exposure to workplace hazards and accidents shall be followed in order to protect the health and safety of all authorized persons who enter the preparation and embalming room.

Subd. 11. **Scope.** Notwithstanding the requirements in section 149A.50, this section applies only to funeral establishments where human remains are present for the purpose of preparation and embalming, private viewings, visitations, services, and holding of human remains while awaiting final disposition. For the purpose of this subdivision, "private viewing" means viewing of a dead human body by persons designated in section 149A.80, subdivision 2.

**History:** 1997 c 215 s 38; 2007 c 114 s 53,54; 2014 c 291 art 6 s 23