

## Article - Health - General

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§5–510.

(a) (1) If the majority of individuals under § 5-509(c) of this subtitle cannot agree on the arrangements, any individual specified in § 5-509(c) of this subtitle or the practitioner who has custody of the body, or both, may file a petition in the circuit court for the county in which the decedent was domiciled at the time of death or the county in which the body is located requesting the court to decide the final disposition of the body.

(2) The practitioner may add the court costs associated with a petition under this subsection to the costs of final disposition.

(b) In the event of a disagreement under subsection (a) of this section, a practitioner is not liable for refusing to accept the body or to inter or otherwise dispose of the body of the decedent or complete the arrangements for the final disposition of the body until the practitioner receives a court order or other written agreement signed by the parties in the disagreement that decides the final disposition of the body.

(c) If the practitioner retains the body for final disposition in accordance with a court order or written agreement among the parties, the practitioner may embalm or refrigerate and shelter the body, or both, in order to preserve it while awaiting the final decision and may add the costs of embalming and refrigeration and sheltering to the final disposition costs.

(d) (1) This section may not be construed to require or to impose a duty upon a practitioner to bring an action under this section.

(2) A practitioner may not be held criminally or civilly liable for choosing not to bring an action under this section.

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