

Department of Legislative Services  
Maryland General Assembly  
2009 Session

FISCAL AND POLICY NOTE

House Bill 1164 (Delegate Myers, *et al.*)  
Health and Government Operations

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Department of Health and Mental Hygiene - Transport of a Decedent - Proper  
Dignity

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This bill requires the Secretary of Health and Mental Hygiene to adopt regulations requiring any person authorized by State or local law to transport the remains of a decedent to show the decedent proper dignity as expected under accepted mortuary standards and practices.

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Fiscal Summary

**State Effect:** The bill does not affect governmental finances.

**Local Effect:** The bill does not affect governmental finances.

**Small Business Effect:** None.

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Analysis

**Current Law:** A person transporting a body to a crematory must use a cot and pouch or receptacle.

In cases of death investigated by the Office of the Chief Medical Examiner (OCME), the deputy medical examiner or forensic investigator within OCME arranges for body transportation services of human remains from a scene of death in Maryland to a specified location in Maryland. Funeral directors and body transportation service providers may transport human remains for OCME if they notify the deputy medical examiner or forensic investigator that they are interested in providing this service for the State.

OCME regulations require that human remains be accorded the proper dignity expected under accepted mortuary standards and practices and be handled in accordance with universal precautions as defined in "Control of Communicable Diseases in Man," which is incorporated by reference in the Code of Maryland Regulations, as well as the OCME guidelines to protect remains and evidence.

Board of Morticians and Funeral Directors regulations require that a vehicle used to remove a body be suitable for the transportation of dead human remains with remains obscured from public view and maintained in a sanitary manner.

**Background:** The Board of Morticians and Funeral Directors as well as OCME advises that there are no *written or formal* generally accepted mortuary standards and practices for dignity afforded to a decedent.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - March 17, 2009  
ncs/mwc

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