

HOUSE BILL 906

J1

3lr2039

By: **Delegates Kach and Reznik**

Introduced and read first time: February 7, 2013

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Handling of Human Remains – Transportation**

3 FOR the purpose of authorizing the transportation of a body of a decedent for
4 preparation and storage to a certain facility that is licensed by a State
5 regulatory board or is subject to inspection by a certain individual rather than a
6 facility that has entered into a certain agreement with the State Board of
7 Morticians and Funeral Directors or the Office of Cemetery Oversight; and
8 generally relating to the handling of human remains.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 5–513(g)
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2012 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 5–513.

18 (g) (1) Except as provided in paragraph (2) of this subsection, while the
19 body of a decedent is in the custody of a funeral establishment or crematory in the
20 State, the body may not be transported for preparation or storage to a facility that is
21 not within the jurisdiction of the State, licensed by the State Board of Morticians and
22 Funeral Directors, or permitted by the Office of Cemetery Oversight.

23 (2) The body of a decedent may be transported for preparation or
24 storage to a facility that is not within the jurisdiction of the State, licensed by the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 State Board of Morticians and Funeral Directors, or permitted by the Office of
2 Cemetery Oversight if:

3 (i) The facility [has entered into a written agreement with the
4 State Board of Morticians and Funeral Directors or the Office of Cemetery Oversight
5 to allow the State to make unannounced inspections of the facility] **RECEIVING THE
6 BODY OF THE DECEDENT IS LICENSED BY A STATE REGULATORY BOARD OR IS
7 SUBJECT TO INSPECTION BY AN INDIVIDUAL AUTHORIZED BY THE STATE;** and

8 (ii) The person authorized to arrange for the final disposition of
9 the body under § 5–509 of this subtitle:

10 [1.] (I) Has given written permission for the body to be
11 transported to the facility; or

12 [2.] (II) [A.] 1. Has given oral permission for the body to
13 be transported to the facility; and

14 [B.] 2. Within 36 hours after giving oral permission,
15 provides written verification of the oral permission.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2013.