



General Assembly

**Substitute Bill No. 7160**

January Session, 2007

\*        HB07160PH        032607        \*

**AN ACT CONCERNING FUNERALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 7-65 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3       The embalmer or funeral director licensed by the department, or  
4 licensed in a state having a reciprocal agreement on file with the  
5 department and complying with the terms of such agreement, who  
6 assumes custody of a dead body shall obtain a [burial transit] removal,  
7 transit and burial permit from the registrar of the town in which the  
8 death occurred or the town in which the embalmer or funeral director  
9 maintains a place of business not later than five calendar days after  
10 death, and prior to final disposition or removal of the body from the  
11 state. The embalmer or funeral director who assumes custody and  
12 control of the body and obtains a removal, transit and burial permit  
13 from the registrar of the town in which the embalmer or funeral  
14 director maintains a place of business shall be obligated to file the  
15 death certificate, in accordance with the provisions of section 7-62b, in  
16 person, through an electronic registry system or by certified mail,  
17 return receipt requested. The burial permit shall specify the place of  
18 burial or other place of interment and state that the death certificate  
19 and any other certificate required by law have been returned and  
20 recorded. Such registrar shall appoint suitable persons as

21 subregistrars, who shall be authorized to issue a [burial transit]  
22 removal, transit and burial permit for any death that occurs in the  
23 registrar's town, based upon receipt of a completed death certificate as  
24 provided in section 7-62b, during the hours in which the registrar of  
25 vital records is closed. All such certificates upon which a permit is  
26 issued shall be forwarded to the registrar [within] not later than seven  
27 days after receiving such certificates. The appointment of subregistrars  
28 shall be made in writing, with the approval of the selectmen of such  
29 town, and shall be made with reference to locality, to best  
30 accommodate the inhabitants of the town. Such subregistrars shall be  
31 sworn, and their term of office shall not extend beyond the term of  
32 office of the appointing registrar. The names of such subregistrars shall  
33 be reported to the Department of Public Health. The Chief Medical  
34 Examiner, Deputy Chief Medical Examiner and associate medical  
35 examiners shall be considered subregistrars of any town in which  
36 death occurs for the purpose of issuing [burial permits and] removal,  
37 transit and burial permits. The fee for such removal, transit and burial  
38 permit [and burial transit removal permit] shall be paid to the town [in  
39 which the death occurred] issuing the removal, transit and burial  
40 permit.

41 Sec. 2. Section 7-66 of the general statutes is repealed and the  
42 following is substituted in lieu thereof (*Effective July 1, 2007*):

43 The sexton of a cemetery shall specify on the burial permit the place  
44 of burial, by section, lot or grave, or other place of interment. No  
45 additional burial or [burial transit] removal, transit and burial permit  
46 shall be required for a body that is placed temporarily in a receiving  
47 vault of any cemetery and subsequently buried in the same cemetery.  
48 In each case herein provided for, the sexton of such cemetery shall  
49 endorse upon the burial permit the date when the body was placed in  
50 the temporary receiving vault, and the date when and the place where  
51 such body was subsequently buried. The sexton shall also include a  
52 statement of the same in the monthly returns to the registrar of vital  
53 statistics. The sexton shall send a copy of the endorsed removal, transit  
54 and burial permit, or the permit for final disposition if the death

55 occurred in another state, to the registrar of vital statistics who filed  
56 the death certificate for the body for which said removal, transit and  
57 burial permit was issued. If such subsequent burial is to be in any  
58 cemetery other than the cemetery where the body was temporarily  
59 deposited or if the body is to be cremated, the sexton shall return the  
60 burial permit to the issuing registrar, who shall thereupon issue the  
61 necessary permits. Any person who violates any provision of this  
62 section shall be fined not more than five hundred dollars or  
63 imprisoned not more than five years.

64 Sec. 3. Section 7-69 of the general statutes is repealed and the  
65 following is substituted in lieu thereof (*Effective July 1, 2007*):

66 No person except a licensed embalmer or funeral director licensed  
67 by the department, or licensed in a state having a reciprocal agreement  
68 on file with the department and complying with the terms of such  
69 agreement, shall remove the body of a deceased person, except that  
70 once the body of a deceased person has been embalmed or prepared in  
71 accordance with the Public Health Code and applicable provisions of  
72 the general statutes, a licensed embalmer or funeral director may  
73 authorize an unlicensed employee to transport such body. No person  
74 except a licensed embalmer or funeral director licensed by the  
75 department, or licensed in a state having a reciprocal agreement on file  
76 with the department, shall remove the body of any deceased person  
77 from this state to another state until a [burial transit] removal, transit  
78 and burial permit has been issued in accordance with section 7-65. No  
79 [burial transit] removal, transit and burial permit shall be issued unless  
80 the death certificate has been signed by a licensed embalmer or funeral  
81 director licensed by the department, or licensed in a state having a  
82 reciprocal agreement on file with the department and complying with  
83 the terms of such agreement. In the case of a deceased person who, at  
84 the time of death, had a communicable disease specified by the Public  
85 Health Code, the permit shall certify that the body was prepared in  
86 accordance with the regulations of the Public Health Code. Such  
87 permit shall be sufficient to permit the burial of such deceased person  
88 in any town in this state other than the town in which such person

89 died, without a burial permit from the registrar of the town where  
90 such person is to be buried. If the body of a deceased person is brought  
91 into the state for burial or cremation and is accompanied by a [burial  
92 transit] removal, transit and burial permit, or a permit for final  
93 disposition indicating the manner and place of final disposition of the  
94 body, issued by the legally constituted authorities of the state from  
95 which such body was brought, such permit shall be received as  
96 sufficient authority for burial or cremation; except that, if such body is  
97 not accompanied by such permit, the person or persons in charge of  
98 such body shall apply for a burial permit to the registrar of vital  
99 statistics of the town in which such body is to be buried, and such  
100 registrar shall issue such permit when furnished with such information  
101 as to the identity of the deceased person and the cause of death as is  
102 required by section 7-62b concerning a person dying in this state. Any  
103 person who violates any provision of this section, or who knowingly  
104 signs a false permit or knowingly allows a false permit to be used in  
105 lieu of a permit required by this section, shall be fined not more than  
106 five hundred dollars or imprisoned not more than six months, or both.

107 Sec. 4. Subsection (a) of section 7-73 of the general statutes is  
108 repealed and the following is substituted in lieu thereof (*Effective July*  
109 *1, 2007*):

110 (a) To any person performing the duties required by the provisions  
111 of the general statutes relating to registration of marriages, deaths and  
112 fetal deaths, the following fees shall be allowed: (1) For the license to  
113 marry, ten dollars; and (2) for issuing each burial or [burial transit]  
114 removal, transit and burial permit, three dollars.

115 Sec. 5. Section 19a-91 of the general statutes is repealed and the  
116 following is substituted in lieu thereof (*Effective from passage*):

117 (a) As used in this section:

118 (1) "Wash" means to bathe or treat the entire surface of a dead  
119 human body with a disinfecting and deodorizing solution or to treat  
120 the entire surface of the dead human body with embalming powder.

121 (2) "Embalm" means to inject the circulatory system of a dead  
122 human body with embalming fluid in an amount not less than five per  
123 cent of the body weight, or to inject the body cavity of a dead human  
124 body with embalming fluid in an amount necessary to properly  
125 preserve the body and render it sanitary.

126 (3) "Wrap" means to place a dead human body in a burial or  
127 cremation pouch made of not less than four millimeters of plastic.

128 (4) "Embalming fluid" means a fluid containing not less than four  
129 per cent formaldehyde gas by weight.

130 (5) "Disinfecting solution" means an aqueous solution or spray  
131 containing not less than five per cent phenol by weight.

132 (b) No licensed embalmer or funeral director shall remove a dead  
133 human body from the place of death to another location for  
134 preparation until the body has been temporarily wrapped. If the body  
135 is to be transported by common carrier, the licensed embalmer or  
136 funeral director having charge of the body shall have the body washed  
137 or embalmed and then enclosed in a casket and outside box or, in lieu  
138 of such double container, by being wrapped.

139 (c) In addition to the requirements set forth in subsection (b) of this  
140 section, in the case of death resulting from a disease on the current list  
141 of reportable diseases developed pursuant to section 19a-36-A2 of the  
142 regulations of Connecticut state agencies, the licensed embalmer or  
143 funeral director having charge of the dead human body shall prepare  
144 such body for burial or cremation by having the body washed,  
145 embalmed or wrapped as soon as practicable after the body arrives at  
146 the licensed embalmer's or licensed funeral director's place of business.  
147 The provisions of this subsection do not apply if death is not the result  
148 of a disease on the current list of reportable diseases developed  
149 pursuant to section 19a-36-A2 of the regulations of Connecticut state  
150 agencies, provided the licensed embalmer or funeral director having  
151 charge of the body takes appropriate measures to ensure that the body  
152 does not pose a threat to the public health.

153       (d) A licensed embalmer or funeral director shall dispose of any  
154 burial or cremation pouch used to wrap a dead human body after each  
155 use or clean and wash such pouch with a disinfecting solution after  
156 each use. No licensed embalmer or funeral director may use a solution  
157 for disinfecting that does not meet the standard specified in the  
158 definition under subdivision (5) of subsection (a) of this section unless  
159 such solution is approved, in writing, by the Department of Public  
160 Health.

161       (e) The Department of Public Health may adopt such regulations, in  
162 accordance with chapter 54, concerning the preparation and  
163 transportation of the bodies of deceased persons to be removed from  
164 or into the limits of any town or into any adjoining state, as the public  
165 health and welfare may require. Such regulations shall be signed by  
166 the Commissioner of Public Health, and a copy thereof shall be mailed  
167 to each town clerk, licensed embalmer and funeral director at least  
168 fifteen days before such regulations take effect. Any person who  
169 violates any regulation of the department adopted pursuant to the  
170 provisions of this section shall be fined not more than fifty dollars.

171       Sec. 6. Section 19a-270 of the general statutes is repealed and the  
172 following is substituted in lieu thereof (*Effective July 1, 2007*):

173       The first selectman of any town, the mayor of any city, the  
174 administrative head of any state correctional institution or the  
175 superintendent or person in charge of any almshouse, asylum,  
176 hospital, morgue or other public institution which is supported, in  
177 whole or in part, at public expense, having in his or her possession or  
178 control the dead body of any person which, if not claimed as  
179 [hereinafter] provided in this section, would have to be buried at  
180 public expense, or at the expense of any such institution, shall,  
181 immediately upon the death of such person, notify [his] such person's  
182 relatives thereof, if known, and, if such relatives are not known, shall  
183 notify the person or persons bringing or committing [him] such person  
184 to such institution. Such official shall, within twenty-four hours from  
185 the time such body came into his or her possession or control, give

186 notice thereof to the Department of Public Health and shall deliver  
187 such body to The University of Connecticut, the Yale University School  
188 of Medicine or the University of Bridgeport College of Chiropractic or  
189 its successor institution, as said department may direct and in  
190 accordance with an agreement to be made among said universities in  
191 such manner as is directed by said department and at the expense of  
192 the university receiving the body, if The University of Connecticut,  
193 Yale University, or the University of Bridgeport College of  
194 Chiropractic or its successor institution, at any time within one year,  
195 has given notice to any of such officials that such bodies would be  
196 needed for the purposes specified in section 19a-270b; provided any  
197 such body shall not have been claimed by a relative, either by blood or  
198 marriage, or a legal representative of such deceased person prior to  
199 delivery to any of said universities. The university receiving such body  
200 shall not embalm such body for a period of at least forty-eight hours  
201 after death, and any relative, either by blood or marriage, or a legal  
202 representative of such deceased person may claim such body during  
203 said period. If any such body is not disposed of in either manner  
204 [herein] specified in this section, it may be cremated or buried. When  
205 any person has in his or her possession or control the dead body of any  
206 person which would have to be buried at public expense or at the  
207 expense of any such institution, he or she shall, within forty-eight  
208 hours after such body has come into his or her possession or control,  
209 file, with the registrar of the town within which such death occurred, a  
210 certificate of death as provided in section 7-62b, unless such certificate  
211 has been filed by a funeral director. Before any such body is removed  
212 to any of said universities, the official or person contemplating such  
213 removal shall secure a [burial transit] removal, transit and burial  
214 permit which shall be delivered with the body to the official in charge  
215 of such university, who shall make return of such [burial transit]  
216 removal, transit and burial permit in the manner provided in section 7-  
217 72.

218       Sec. 7. Section 19a-323 of the general statutes is repealed and the  
219 following is substituted in lieu thereof (*Effective July 1, 2007*):

220 The body of any deceased person may be disposed of by  
221 incineration or cremation in this state or may be removed from the  
222 state for such purpose. If death occurred in this state, the death  
223 certificate required by law shall be filed with the registrar of vital  
224 statistics for the town in which such person died, if known, or, if not  
225 known, for the town in which the body was found. The Chief Medical  
226 Examiner, Deputy Chief Medical Examiner, associate medical  
227 examiner, or an authorized assistant medical examiner shall complete  
228 the cremation certificate, stating that such medical examiner has made  
229 inquiry into the cause and manner of death and is of the opinion that  
230 no further examination or judicial inquiry is necessary. The cremation  
231 certificate or, if the death occurred in another state, the permit for final  
232 disposition issued by the legally constituted authorities of the state  
233 from which such body was brought and indicating cremation for the  
234 body shall be submitted to the registrar of vital statistics of the town in  
235 which such person died, if known, or, if not known, of the town in  
236 which the body was found, or with the registrar of vital statistics of the  
237 town in which the funeral director having charge of the body is  
238 located. Upon receipt of the cremation certificate, the registrar shall  
239 authorize the cremation certificate, keep it on permanent record, and  
240 issue a cremation permit, except that if the cremation certificate is  
241 submitted to the registrar of the town where the funeral director is  
242 located, such certificate shall be forwarded to the registrar of the town  
243 where the person died to be kept on permanent record. The estate of  
244 the deceased person, if any, shall pay the sum of forty dollars for the  
245 issuance of the cremation certificate or an amount equivalent to the  
246 compensation then being paid by the state to authorized assistant  
247 medical examiners, if greater. No cremation certificate shall be  
248 required (1) for a permit to cremate the remains of bodies pursuant to  
249 section 19a-270a, or (2) when the death occurred in another state and a  
250 permit for final disposition has been issued by the legally constituted  
251 authorities of the state from which such body was brought. When the  
252 cremation certificate is submitted to a town other than that where the  
253 person died, the registrar of vital statistics for such other town shall  
254 ascertain from the original [burial transit] removal, transit and burial

255 permit that the certificates required by the state statutes have been  
256 received and recorded, that the body has been prepared in accordance  
257 with the Public Health Code and that the entry regarding the place of  
258 disposal is correct. Whenever the registrar finds that the place of  
259 disposal is incorrect, the registrar shall issue a corrected [burial transit]  
260 removal, transit and burial permit and, after inscribing and recording  
261 the original permit in the manner prescribed for sextons' reports under  
262 section 7-72, shall then immediately give written notice to the registrar  
263 for the town where the death occurred of the change in place of  
264 disposal stating the name and place of the crematory and the date of  
265 cremation. Such written notice shall be sufficient authorization to  
266 correct these items on the original certificate of death. No body shall be  
267 cremated until at least forty-eight hours after death, unless such death  
268 was the result of communicable disease, and no body shall be received  
269 by any crematory unless accompanied by the permit provided for in  
270 this section. The fee for a cremation permit shall be three dollars and  
271 for the written notice one dollar. The Department of Public Health  
272 shall provide forms for cremation permits, which shall not be the same  
273 as for regular burial permits and shall include space to record  
274 information about the intended manner of disposition of the cremated  
275 remains, and such blanks and books as may be required by the  
276 registrars.

277 Sec. 8. Section 20-219a of the general statutes is repealed and the  
278 following is substituted in lieu thereof (*Effective July 1, 2007*):

279 (a) As used in this section: (1) "Licensee" means a funeral director or  
280 embalmer licensed pursuant to this chapter; and (2) "department"  
281 means the Department of Public Health; and (3) "registration period"  
282 means the twelve-month period that commences on the date of  
283 renewal of the licensee's license, as provided in section 19a-88, and is  
284 current and valid.

285 (b) Each licensee shall complete a minimum of six hours of  
286 continuing education during each registration period, two of which  
287 shall be in the area of federal and state laws regarding the provision of

288 funeral services, including applicable Federal Trade Commission  
289 regulations. Each licensee shall complete his or her initial continuing  
290 education in the area of federal and state laws regarding the provision  
291 of funeral services not later than twelve months after the licensee first  
292 applies for license renewal after July 1, 2007. The remaining four hours  
293 of continuing education shall be in areas related to the licensee's  
294 practice, including, but not limited to, bereavement care, business  
295 management and administration, religious customs and traditions  
296 related to funerals, cremation services, cemetery services, natural  
297 sciences, preneed services, restorative arts and embalming, [federal  
298 and state laws governing funeral services,] counseling, funeral service  
299 merchandising, sanitation and infection control, organ donation or  
300 hospice care. The continuing education shall consist of courses offered  
301 or approved by the Academy of Professional Funeral Service Practice,  
302 educational offerings sponsored by a hospital or other licensed health  
303 care institution or courses offered by a regionally accredited institution  
304 of higher education.

305 (c) Each licensee shall obtain a certificate of completion from the  
306 provider of the continuing education for all continuing education  
307 hours that are successfully completed and shall retain a copy of such  
308 certificate for a minimum of three years following the license renewal  
309 date for which the activity satisfies the continuing education  
310 requirement. Each funeral home and licensee shall maintain a copy of  
311 such certificate for each licensee employed by the funeral home. Upon  
312 request by the department, the licensee or funeral home shall submit  
313 the certificate to the department.

314 (d) A licensee who fails to comply with the provisions of this section  
315 shall be subject to disciplinary action pursuant to section 20-227.

316 (e) The continuing education requirements shall be waived for  
317 licensees applying for license renewal for the first time. The  
318 department may, for a licensee who has a medical disability or illness,  
319 grant a waiver of the continuing education requirements for a specific  
320 period of time or may grant the licensee an extension of time in which

321 to fulfill the requirements.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	7-65
Sec. 2	<i>July 1, 2007</i>	7-66
Sec. 3	<i>July 1, 2007</i>	7-69
Sec. 4	<i>July 1, 2007</i>	7-73(a)
Sec. 5	<i>from passage</i>	19a-91
Sec. 6	<i>July 1, 2007</i>	19a-270
Sec. 7	<i>July 1, 2007</i>	19a-323
Sec. 8	<i>July 1, 2007</i>	20-219a

**PH**      *Joint Favorable Subst.*