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PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 830

MORTUARY AND CEMETERY BOARD

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Amending language to increase the time in which human remains must undergo final disposition.

EFFECTIVE DATE: 11/01/2023

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AMEND: 830-030-0010

NOTICE FILED DATE: 08/23/2023

RULE SUMMARY: Amends language to increase the time in which human remains must undergo final disposition and licensed funeral establishments provide notification.

CHANGES TO RULE:

830-030-0010

Care of Human Remains ¶

(1) All human remains that will be embalmed must be disinfected by approved disinfecting solutions in such manner to help eliminate the danger of spreading diseases or infection. All human remains that are not going to be embalmed must be wrapped in a sheet. If human remains are to be held longer than 24 hours, the remains must, at minimum, either be embalmed or refrigerated at 36 degrees F. or less until final disposition.¶

(2) It is the duty of funeral service practitioners and embalmers to see that every precaution is taken to prevent the spread of infections from persons who have died of or with communicable diseases.¶

(3) An embalmer must not embalm human remains without obtaining written or oral permission of a person who has the right to control the disposition of the remains. When oral permission is received to embalm, the licensee obtaining the oral permission must document the oral permission in writing. Documentation must include the name and phone number of the authorizing agent, relationship to the deceased, date and time oral permission was obtained, and printed name and signature of the licensee or facility representative acquiring the oral authorization. An authorizing agent must confirm the oral permission on a written, signed embalming authorization form as outlined in OAR 830-040-0000(7).¶

(4) All human remains must undergo final disposition within twenty calendar days after a licensed funeral establishment takes possession of the remains. If human remains are going to be kept longer than a twen-ty-calendar day period due to exigent circumstances, it is the responsibility of the licensee responsible for those human remains to notify the Board's office by submitting the completed form via the Board's website by the twenty-first calendar day. Once disposition has been completed, the licensee who is responsible for the human remains shall notify the Board within five calendar days after performing disposition by submitting the updated completed form via the Board's website.

Statutory/Other Authority: ORS 692.160, 692.320

Statutes/Other Implemented: ORS 97.130, 692.025