

Local Health Director Responsibility for Decedents

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Scenarios

- A resident wants to bury a deceased family member on his own property.
- The health director is asked to release a body for burial out of state or abroad.
- A property owner wants to relocate graves so that property can be developed.
- Nobody wants to sign the death certificate.
- The county needs to store bodies until they are claimed.

Private burials

- Death must be reported, registered, and released for burial (G.S. Ch. 130A)
- Communicable disease rules may apply (10A NCAC 41A .0212)
- Considerations for site location:
 - Distances from any drinking water well?
 - At least 300 feet from flowing streams or public bodies of water
 - Not in septic repair area or any other area where digging may occur (e.g., public utility easement)
 - Top of encasement at least 18 inches below surface
 - Continued access to gravesite for family or friends

Burial transit permits

- Required for body to be removed from the state (G.S. 130A-113)
 - Medical examiner issues permit if body under ME jurisdiction
 - Otherwise local registrar of vital records (i.e., local health director) issues permit
 - Must be issued within five days after death
- Permit may be issued only if notification of death has been made per G.S. 130A-112
 - Notification must identify the physician responsible for medical certification of death

Relocation of graves

- Permit required for disinterment-reinterment
 - Local health director issues permits (G.S. 130A-113(c))
 - Permit may be issued only upon receipt of written authorization(10A NCAC 41H .0505):
 - Signed by the spouse (if living); or
 - If no living spouse, signed by next-of-kin and person who will perform disinterment; or
 - Upon receipt of a court order.

Relocation of graves (cont.)

- Disinterment, removal, and reinterment must be supervised and directed by the county commissioners “or other appropriate official, including the local health director” (G.S. 65-106(g))
- Relocations pursuant to G.S. 65-106 may be done when:
 - Any governmental agency or political subdivision determines that it is necessary in order to perform a government function delegated by law.
 - Any church authority, needs to erect or expand church facilities or provide care for existing graves, for which the church has custody over.
 - Any electric or power company will be creating a reservoir upon lands that it owns.
 - Any person, firm or corporation, owning land in which an abandoned cemetery is located, obtains the consent of the governing body in which the cemetery is located.

Relocation of graves (cont.)

- What is required?
 - 30 days' notice of intention to relocate grave(s)
 - Filing certificates with register of deeds
 - Expenses to be borne by person undertaking removal
 - Ensuring appropriate relocation site
 - Accommodates only the decedent (unless written consent from next of kin to do otherwise)
 - Reasonably assessable by next of kin
 - Must be performed by a licensed funeral director (except if done by church)

Relocation of graves (cont.)

- Must be done under the direct supervision of county commissioners
- Taking due care that work is done in a proper and decent manner, and that tombstones or other markers are maintained in as good condition as they were before
- Family may have graves relocated as they wish and at their own expense.

Signature on death certificate

- For non-ME cases, medical certification of death must be completed and signed by physician in charge of person's care at time of death (G.S. 130A-115)
 - Must be completed within 3 days
 - In some circumstances may be signed by associate physician, PA, NP, or chief medical officer of facility
 - Electronic signature acceptable if specifically approved by State Registrar of Vital Records
 - 10A NCAC 41H .0503 clarifies who can sign the certificate

Signature on death certificate (cont.)

- Funeral director is responsible for obtaining the medical certification and filing the death certificate (G.S. 130A-115)
- Local health director is responsible for ensuring certificate is complete (G.S. 130A-97)
 - "If a certificate is incomplete or unsatisfactory, the responsible person shall be notified and required to furnish the necessary information."
 - What if a signature cannot be obtained on the certificate?

County morgue

- County must provide or contract for an appropriate facility for the examination and storage of bodies under medical examiner jurisdiction. G.S. 130A-381.
- If ME orders body taken to a hospital, hospital may charge the state a fee of \$40. 10A NCAC 44 .0204.
- If county lacks hospital or hospital cannot provide sufficient facilities, other arrangements must be made for bodies under ME jurisdiction. Also consider needs for facility for bodies not under ME jurisdiction.

A Project to Turn Corpses Into Compost
By CATYRN ENGLISH APRIL 13, 2015

Cullowhee, N.C. — The body of the tiny 78-year-old woman, gray hair falling over stiffened shoulders, was brought to a hillside at Western Carolina University still clad in a blue hospital gown and chartreuse socks.

She was laid on a bed of wood chips, and then more were heaped atop her. If all goes as hoped, the body will turn into compost.

It is a startling next step in the natural burial movement. Even as more people opt for interment in simple shrouds or biodegradable caskets, urban cemeteries continue to fill up. For the environmentally conscious, cremation is a problematic option, as the process releases greenhouse gases.

Armed with a prestigious

Kerita Spick, the founder and director of the Urban Death Project, reviewing the temperature of a mound of wood chips that contain a human body. (Photo courtesy of The Urban Death Project)

URBAN DEATH PROJECT KICKSTARTER OVERVIEW PROCESS FAQ ABOUT/US PRESS CONTACT / DONATE

The Urban Death Project utilizes the process of composting to safely and gently turn our deceased into soil-building material for our city. Our mission is to create a meaningful, equitable, and ecological urban alternative to existing options for the disposal of the dead.

OVERVIEW

The Urban Death Project is a compost-based renewal system. At the heart of the project is a three-story core, within which bodies and high-carbon materials are placed.

Over the span of a few months, with the help of aerobic decomposition and microbial activity, the bodies decompose fully, leaving a rich compost.

The Urban Death Project is not simply a system for turning our bodies into soil-building material. It is also a space for the contemplation of our place in the natural world, and a ritual to help us say goodbye to our loved ones by connecting us with the cycles of nature.

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RECENT COMMENTS

PAUL commented
@Nether-nature, I suppose, to sentimentalize about bodies being scattered in the world (and with the issue of space and dead bodies)...

MARK commented
@Nether-nature Charles Henson said it best: "Square Green is people. It's made of people..." I'm sure this doesn't put us on the path to...