Office of the Revisor of Statutes
Administrative Rules

TITLE: Adopted Permanent Rules Governing Mortuary Science

AGENCY: Department of Health

REVISOR ID: R-4882

MINNESOTA RULES: Chapter 4610

The attached rules are approved for
filing with the Secretary of State

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Department of Health

Adopted Permanent Rules Governing Mortuary Science

4610.2810 DEFINITIONS.

Subpart 1. **Bulking agents.** "Bulking agents" means a carbon-rich material used to increase porosity, assist moisture balance, reduce odors, and facilitate aeration in the decomposition process. Bulking agents include alfalfa, straw, tree and shrub parts that have been chipped or shredded, or similar woody vegetation that has been chipped or shredded, as well as other similarly carbon-rich materials.

Subp. 2. **Natural organic reduction.** "Natural organic reduction" has the meaning given in Minnesota Statutes, section 149A.02, subdivision 30b.

Subp. 3. **Prion disease.** "Prion disease" means a fatal neurodegenerative disorder caused by misfolded proteins in the brain. Prion diseases include, among others without limitation, Creutzfeldt-Jakob disease, variant Creutzfeldt-Jakob disease, variably Protease-Sensitive Prionopathy, Sporadic Fatal Insomnia, and Gerstmann-Straussler-Scheinker disease.

4610.2815 RECORD KEEPING.

When a document is to be completed as required in Minnesota Statutes, chapter 149A, each document must be clearly titled and contain all information required of the document by statute, including the decedent's ~~full legal~~ first and last name, if known. If the decedent's name is not immediately known, the documents must be updated to include the decedent's first and last name, as soon as it is known.

4610.2816 FLUSH BOWL WITH WATER CONNECT.

If a preparation room has both a flush bowl with water connections as provided in Minnesota Statutes, section 149A.92, subdivision 2, and ~~a direct drain~~ other sinks or drains

not connected to a flush bowl with water connections, only the flush bowl may be used to dispose of embalming waste and bodily fluids.

4610.2817 VENTILATION.

Subpart 1. **Ventilation systems.** Ventilation systems for preparation rooms must be maintained in a sanitary condition and free of rust and debris.

Subp. 2. **Ventilation exhaust fans.** Ventilation exhaust fans, as described in Minnesota Statutes, section 149A.92, subdivision 3, must not be blocked ~~or covered~~.

4610.2830 MAINTENANCE; CREMATORIES.

Upon request during a survey, investigation, inspection, or other licensing activity, the licensee must provide the department access to or copies of documentation that the human cremation system, as described in Minnesota Statutes, section 149A.95, subdivision 2, has been maintained in a manner that ensures safe operation that conforms with manufacturer specifications and ~~that~~ adheres to the requirements of Minnesota Statutes, chapter 149A.

4610.2835 MAINTENANCE; ALKALINE HYDROLYSIS.

Upon request during a survey, investigation, inspection, or other licensing activity, the licensee must provide the department access to or copies of documentation that the human alkaline hydrolysis system, as described in Minnesota Statutes, section 149A.941, subdivision 2, has been maintained in a manner that ensures safe operation that conforms with manufacturer specifications and ~~that~~ adheres to the requirements of Minnesota Statutes, chapter 149A.

4610.2840 INITIAL TRAINING DEADLINE; TRANSFER CARE SPECIALIST.

Transfer care specialist applicants must complete the training under Minnesota Statutes, section 149A.47, subdivision 4, paragraph (a), within the six months before the date the application for registry is submitted.

4610.2845 SUPERVISION OF TRANSFER CARE SPECIALISTS.

Subpart 1. **Supervision.** A transfer care specialist is allowed to have only one supervising licensed mortician. In the event that the supervising licensed mortician is off duty for a time period of no more than 30 days, a different licensed mortician employed or contracted by the same funeral establishment may temporarily supervise and direct the transfer care specialist.

Subp. 2. **Change in supervision; change in funeral establishment.** A transfer care specialist must:

A. provide the department with the name of the transfer care specialist's supervising mortician and funeral establishment as part of the registration application; and

B. notify the department of any changes to the transfer care specialist's supervising mortician or funeral establishment, or both, no later than 30 calendar days after the change occurs.

4610.2847 REGISTRATION DISPLAY.

The registration card for a transfer care specialist employed by a funeral establishment must be conspicuously displayed at all times in the transfer care specialist's place of employment. "Conspicuously displayed" means located where a member of the general public within the transfer care specialist's place of employment is able to observe and read the license.

4610.2850 NATURAL ORGANIC REDUCTION FACILITIES.

A licensed natural organic reduction facility must be located inside of a building.

4610.2855 NATURAL ORGANIC REDUCTION PROHIBITED.

A decedent whose cause of death was known to be, or reasonably suspected to be, a prion disease is not eligible for natural organic reduction as a method of final disposition. A licensee is considered compliant with this requirement if the licensee obtains a letter from

the decedent's attending physician or a medical examiner stating the decedent was not known to have, nor suspected of having, a prion disease at the time of death.

4610.2856 REDUCED REMAINS.

Subpart 1. **Release of reduced remains.** The reduced remains must be released in enclosed containers. The finished compost must not have any visible mold growth at the time it is released to the person or persons with legal right to control disposition. The establishment must provide care instructions to the recipient of the reduced remains to carry out the final disposition of the reduced remains. The instruction sheet must:

A. state that the final dispersal must comply with all applicable federal, Tribal, state, and local laws regarding final dispersal;

B. discourage the sale or use of reduced remains for commercial purposes; and

C. provide instructions and best practices for inhibiting unwanted microbes such as mold while waiting for final dispersal.

Subp. 2. **Donated compost.** If the person or persons who have the legal right to control disposition do not want to retain all reduced remains, the facility may disperse or donate any excess reduced remains. A donation constitutes release to an authorized party under Minnesota Statutes, section 149A.955, subdivision 26.

Subp. 3. **Donating compost.** Facilities must have a location to disperse donated compost and unclaimed reduced remains. The location may be owned by the facility or owned or controlled by a third party who has a written agreement with the facility to accept compost. The facility must not knowingly donate compost for use to grow food for sale or donation for human consumption. Containers of donated compost and unclaimed reduced remains awaiting final dispersal must be stored indoors in a way that inhibits mold growth and vector infestation. Containers of donated compost must not block walkways or methods of egress or be stored in a way that creates falling or tripping hazards.

4610.2857 LABORATORY RESULTS.

Samples required under Minnesota Statutes, section 149A.955, subdivision 23, clauses (3) to (6), must be submitted to:

A. one or more laboratories certified under parts 4740.2010 to 4740.2120. The laboratory or laboratories must be certified to analyze the substances presented to it by the facility, as required by Minnesota Statutes, section 149A.955, subdivision 23, clause (4); or

B. a laboratory that is certified as Seal of Testing Assurance (STA) approved by the United States Composting Council.

4610.2858 EQUIPMENT REQUIREMENTS.

Subpart 1. **Prohibited additions to vessel.** The following items and materials must not be used as bulking agents and must not be placed inside the vessel:

A. wood or other organic material that has been painted, glued, or chemically or pressure treated without regard to whether the wood or other organic material is or is not chipped or shredded;

B. construction and demolition debris without regard to whether the debris is or is not chipped or shredded;

C. acids, alkaline agents, or other solvents;

D. insects, worms, or other animals;

E. materials that will not compost other than a noncompostable tag described in Minnesota Statutes, section 149A.955, subdivision 16; and

F. materials that, if present inside the vessel during all or part of the natural organic reduction process, would create a risk to health or safety.

Subp. 2. **Vessel requirements.** The vessel must:

A. be leak-proof and capable of withstanding heating to the required temperature for the required period;

B. enable accurate testing and recording of temperature designed to measure from ~~the middle of~~ the interior of the vessel and the accurate collection of any other data required by the natural organic process used by the natural organic reduction facility; and

C. prevent vectors from entering the vessel and control odors.

Subp. 3. **Measuring and recording equipment.** Each vessel must have its own thermometer or similar instrument for measuring the heat inside the vessel. The readings of the instrument must be recorded and saved with the records for each decedent along with the records required in Minnesota Statutes, section 149A.955, subdivision 28.

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