



ADMINISTRATIVE RULES OF MONTANA



24.147.1107 CREMATION AUTHORIZATIONS

- (1) A cremation authorization form as defined in ARM 24.147.302 must include:
 - (a) full identification of the decedent;
 - (b) warranty of positive identification of the decedent by the authorizing agent or personal representative of the authorizing agent;
 - (c) the authorizing agent's relationship to the deceased;
 - (d) the superiority of the authorizing agent's authority among competing rights to act per 37-19-904, MCA;
 - (e) disclosure by the authorizing agent of any potentially hazardous implants or other medical devices;
 - (f) disclosures and authorizations regarding the casket or alternative container as described in ARM 24.147.1102;
 - (g) disclosures and authorizations regarding multiple cremations per 37-19-705, MCA;
 - (h) disclosures and authorizations regarding witnessing;
 - (i) disclosures and descriptions regarding the cremation process;
 - (j) authorization by the authorizing agent to cremate;
 - (k) disclosures and selections regarding containers;
 - (l) disclosures, authorizations, and selections regarding final disposition of cremated remains;
 - (m) directions regarding disposition of personal property;
 - (n) disclosures regarding the time and place of cremation and whether the decedent is to be embalmed;
 - (o) a release from liability per 37-19-707, MCA; and
 - (p) if applicable, certification by a mortician on behalf of a mortuary that:
 - (i) the remains presented to the crematory are those of the decedent identified by the authorizing agent;
 - (ii) the mortician has taken reasonable precautions to ensure the removal of any hazardous implants; and

- (iii) the personal property identified in the cremation authorization has been removed from the remains of the decedent and delivered to the authorizing agent.

Authorizing statute(s): 37-19-202, 37-19-703, 37-19-708, MCA

Implementing statute(s): 37-19-703, 37-19-704, 37-19-707, 37-19-708, 37-19-903, MCA

History: NEW, 2014 MAR p. 2017, Eff. 9/5/14; AMD, 2020 MAR p. 670, Eff. 4/18/20.