**Section 500.50 Death Reporting, Transportation and Disposition of Dead Human Body**

a) A local registrar may issue a Permit for Disposition of Dead Human Body to a funeral director authorizing a hospital to incinerate a dead fetus (a product of gestation of 20 or more weeks) or the body of an infant who dies immediately after birth and prior to release from the hospital. This permit may be issued only by a local registrar to a funeral director upon the filing of the appropriate death or fetal death certificate.

b) A local registrar may issue a Permit for Disposition of Dead Human Body authorizing the parents of a dead fetus or deceased infant to bury the body in a private burial plot, if requested by a funeral director. This permit may be issued only to the funeral director and only upon the presentation of a completed Certificate of Death or Fetal Death.

c) A Permit for Disposition of a Dead Human Body authorizing disinterment is required prior to the disinterment of a dead human body or fetus. The same permit may also authorize transportation of the body by common carrier, if desired. The permit shall be issued by the local registrar of the Local Registration District in which the disinterment is to be made and shall be issued only to a funeral director. The application for disinterment shall be signed by the surviving spouse of the decedent or, if none, a surviving adult child of the decedent or, if no surviving spouse or adult children, then a parent or sibling of the decedent. If the surviving spouse, surviving adult child, adult children, or a parent or adult sibling of the decedent does not consent, a court order will be required. If the applicant is a surviving adult child and there is no surviving spouse, all other surviving adult children, except for the applicant, must either sign the application for disinterment or be notified by Certified U.S. Mail prior to the issuance of the permit for disinterment. When notification of a disinterment request is required, the local registrar in the registration district where the remains are currently located shall send the notification by certified mail. This notification shall include a copy of the requestor's completed disinterment/reinterment application (VR 207). The notification will indicate that the surviving relative's signature on the copy of the application included with the certified mail is required to approve the disinterment request. The notification shall also indicate the disinterment request will not be approved unless the surviving relative's signature is on the application and returned to the local registrar within 30 days of the date on the certified notification. Investigations conducted by the coroner, medical examiner, state's attorney or any other related law enforcement official do not require the signature or approval from the next of kin, and the application for disinterment must be signed by the coroner, medical examiner, state's attorney or other related law enforcement official, or by order of the Illinois Circuit Court. If multiple bodies or an entire cemetery is to be disinterred, the local registrar may issue a single Permit for Disposition of Dead Human Body to a funeral director, to which a complete list, as far as possible, of the identity of all the bodies is to be attached. The Permit for Disposition of Dead Human Body authorizing disinterment shall also show the final disposition of the body or bodies. If the disinterred remains are to be cremated, the medical examiner or coroner in the county of disinterment shall have the authority to issue a cremation permit.

1) Disinterred human remains shall not be transported within the State unless accompanied by a Permit for Disposition of Dead Human Body. The transportation of disinterred remains by common carrier or by private conveyance is subject to the requirements of subsections (e)(1) through (6) that apply to any dead human body. The remains of repatriated U.S. war dead may be transported within Illinois on the basis of the burial-transit permit issued at the point of origin. The permit shall be exchanged for an Illinois Permit for Disposition of Dead Human Body prior to interment or cremation in Illinois (see subsection (d)(6)).

2) Disinterred human remains shall not be reinterred within the State except as authorized by a Permit for Disposition of Dead Human Body.

d) Disposition of Dead Human Body

1) A dead human body shall not be interred in a grave, vault or tomb, except as authorized by a Permit for Disposition of Dead Human Body. If the death occurred in the State of Illinois and burial is also in this State, a funeral director may issue the permit. When the body is being shipped out of State for disposition or when the death was subject to investigation by the medical examiner or coroner, the permit must be signed prior to the disposition of the body by the local registrar of the district where the death occurred. A dead human body shall not be surrendered to a physician, surgeon, medical college or school or other institution or school of mortuary science and later cremated, except as authorized by a Permit for Disposition of Dead Human Body issued by the local registrar of the district in which the death occurred. This permit shall be issued to a funeral director upon presentation of a completed Certificate of Death or Certificate of Fetal Death. A dead human body shall not be donated to a physician, surgeon, medical college or school or other institution or school of mortuary science without the applicable permit (VR 204) authorized by the local registrar in the registration district where the death occurred. The signed donation permit must be signed by the local registrar prior to the donation. When it is known that a cremation of the remains will occur after the donation is completed, a signed cremation permit (VR 204.1) is required to cremate. To obtain a signed cremation permit, the funeral director will present a completed Certificate of Death or Certificate of Fetal Death to the medical examiner/coroner in the county where the death occurred. Upon review of the permit and the completed Certificate of Death or Certificate of Fetal Death the medical examiner/coroner will determine whether to authorize the cremation. Approved and signed VR 204.1 permits shall be returned to the funeral director.

2) A dead human body being shipped out of State for disposition, or whose death was subject to the coroner's or medical examiner's investigation, shall not be disposed of, except as authorized by the signing of Part II of the Report of Death (VR 205) by the local registrar of the district in which the death occurred. If disposition of a dead human body is by cremation, the local registrar shall not sign the permit, unless presented with a duly executed Coroner's or Medical Examiner's Permit to Cremate a Dead Human Body.

3) No Permit for Disposition of Dead Human Body is required for the disposition of ashes from cremation, unless the ashes are to be buried in a cemetery. In that case, any local registrar or any funeral director may issue the permit.

4) No Permit for Disposition of Dead Human Body is required for the disposal of a part of a living human body, such as an amputated arm or leg, except when the part is to be interred in a cemetery. In that case, upon being requested to do so, the local registrar of the registration district where the cemetery is located shall issue a Permit for Disposition of Dead Human Body. The permit shall be issued upon receipt of a letter from the institution that performed the amputation or is in custody of the amputated part or parts.

5) A dead fetus resulting from a fetal death (see 410 ILCS 535/1) is considered to be a dead human body, and its transportation and disposition are subject to this Part. However, if the dead fetus was delivered before the 20th week of gestation, a Permit for Disposition of Dead Human Body is not required unless interment of the remains is to be made in a cemetery. In that case, if the fetal death was not subject to a medical examiner or coroner's investigation, any funeral director can issue the permit. If the fetal death was subject to a coroner's investigation, the local registrar of the district where death occurred shall sign the permit.

6) A permit for a group burial or group cremation (when the manner of death is "Natural") for fetuses under 20 weeks gestation may be issued without the completion and filing ofa Certificate of Fetal Death.

A) In the case of group burial, when the fetal death is under 20 weeks gestation and not subject to coroner's or medical examiner's jurisdiction, a burial or transit permit can be issued by any funeral director without a Certificate of Fetal Death.

B) In the case of group cremation, when the fetal death is under 20 weeks gestation and not subject to coroner's or medical examiner's jurisdiction, hospital personnel will provide copies of the signed Fetal Death Disposition-Notification Form for each fetus to a funeral director to be presented to the coroner or medical examiner in the county where the fetal death occurred. The coroner or medical examiner will issue one cremation permit for all fetuses or individual cremation permits for each fetus in the group cremation. Upon receipt of the authorized cremation permit or permits, any funeral director will then issue the Permit for Disposition of Dead Human Body (VR 205). The funeral director will provide the VR 205 and the authorized cremation permit to the local registrar in the registration district where the fetal death occurred. The local registrar shall sign the VR 205.

C) In any case that the coroner or medical examiner deems necessary to investigate and to certify the cause of death, a Fetal Death Certificate shall be completed and filed irrespective of the fetus' weeks of gestation.

7) A Permit for Disposition of Dead Human Body authorizing the disposition of the remains of the repatriated U.S. war dead shall be issued to the receiving funeral director by the local registrar of the district in which the body is to be interred or cremated. The Permit for Disposition of Dead Human body shall be issued in exchange for the burial-transit papers accompanying the body.

e) Transportation of Dead Human Body

1) When a death occurs in Illinois, during the first 24 hours after notification of the death, the funeral director may move a dead body that is not subject to a medical examiner or coroner's investigation from the place of death to a mortuary in the State without first having obtained a Permit for Disposition of Dead Human Body.

2) No dead human body may be transported into the State of Illinois, unless it is accompanied by the Burial-Transit Permit (VR 205) properly issued in accordance with the laws of the state from which the body was transported, showing that all precautions required by the State of Illinois have been observed. The burial-transit permit is sufficient authority also for interment or cremation of the body in Illinois, provided that the permit specifies the place and type of disposition, except in municipalities where local ordinance requires the issuance of a local permit prior to disposition, and except for repatriated U.S. war dead.

3) No dead human body shall be transported by common carrier in Illinois, unless accompanied by a Permit for Disposition of Dead Human Body issued by a local registrar of this State. In the case of a body shipped from another state, the body shall be accompanied by a transit or burial-transit permit issued in accordance with the laws of the state from which the body is shipped.

4) No dead human body shall be transported from Illinois to a point outside this State unless the body has been prepared in accordance with the laws and regulations of the states through which and to which transportation is made.

5) Presumptive records of death prepared upon the order of a court of competent jurisdiction shall show, as the date of death, the date the order was entered by the court, unless otherwise specified in the order.

6) *No permit for transportation signed by the local registrar is required prior to transporting a dead human body out of the State of Illinois, at the direction of a federally designated organ procurement organization, for the purpose of organ or tissue donation. The dead human body being transported for the purpose of organ or tissue donation shall be accompanied by a self-issued* VR 206 *permit.* The VR 206 *permit shall be completed by an Illinois-licensed funeral director and embalmer or an Illinois-licensed funeral director and shall serve as notification to the county medical examiner or coroner of the jurisdiction or county in which the death occurred that the dead human body is being transported out of Illinois for a period not to exceed 36 hours. This* subsection (e)(6) *applies only to instances in which the dead human body is to be returned to Illinois prior to disposition.* (Section 7 of the Act)

f) Upon the death of a person who had or is suspected of having an infectious or communicable disease or who was known to be a carrier or known to be sub-clinically infected with a disease that could be transmitted through contact with the person's body or bodily fluids, the body shall be labeled "Infectious Hazard", or with an equivalent term to inform persons having subsequent contact with the body, including any funeral director or embalmer.

1) The label shall be prominently displayed on and affixed to the outer wrapping or covering of the body if the body is wrapped or covered in any manner.

2) Responsibility for labeling shall lie with the attending physician or coroner who certifies death or, if the death occurs in a health care facility, with the staff member designated by the administrator of the facility.

3) The person responsible for completion of the medical certification of cause of death shall record, on the death record, *the presence of methicillin-resistant staphylococcus aureus, clostridium difficile, or vancomycin-resistant enterococci if the infection is a contributing factor to or the cause of death.* (Section 18.1(c) of the Act)

g) In every case in which a drug overdose is determined to be the cause of or a contributing factor in a death, the coroner or medical examiner shall report the death to the Department. When the cause of the overdose is available, the coroner or medical examiner shall report the cause of the overdose to the Department.

(Source: Amended at 46 Ill. Reg. 20036, effective November 30, 2022)