

## STATE OF NEBRASKA

Licensure Unit

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License #:	_____	Date Issued:	_____
Facility Name:	_____		
Address:	_____		
Name of Crematory Authority:	_____		
Telephone #:	_____		

### SECTION A – Inspection Summary

		yes	no
1	71-1374. Crematory authority; delivery receipt form; duties.		
2	71-1375. Crematory operation; limitations.		
3	71-1376. Crematory authority; operation; requirements.		
4	71-1377. Cremation authorization form; required; contents.		
5	71-1377. Cremation authorization form; required; contents.		
6	71-1381. Cremated remains; how treated.		
7	71-1382. Cremated remains; final disposition.		

- Crematory does not conform to all local building codes and environmental regulations
- Operator does not have a current training certificate
- Crematory operating without a current license

On pages 1-6 check the appropriate response (yes or no) to each question.

### INSPECTION RATING:

**SCORING CRITERIA:** You must have a 'YES' in SECTION B to achieve a Satisfactory rating. A 'NO' in any item found in section B will result in an unsatisfactory rating. **Practice without a current license** or **operating a crematory without a current license** will result in an automatic unsatisfactory rating.

SATISFACTORY

UNSATISFACTORY

Deficiency statement due: \_\_\_\_\_

### SIGNATURE OF PERSON COMPLETING INSPECTION:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Inspection

\_\_\_\_\_  
Signature of Crematory Authority

\_\_\_\_\_  
Date

**SECTION B**

#	Statute	Rating	
		Yes	No
1	<p><b>71-1374. Crematory authority; delivery receipt form; duties.</b></p> <p>(1) A crematory authority upon receiving human remains shall sign a delivery receipt form and shall hold the human remains, prior to cremation, as provided in this section. The form shall include:</p> <ul style="list-style-type: none"> <li>a. the name of the deceased,</li> <li>b. the time and date of delivery of such remains, and</li> <li>c. the signatures of the owner of the crematory or his or her representative and the funeral director or his or her representative.</li> </ul> <p><b>Does the crematory have a delivery receipt form?</b>  <b>Does the form include the items listed in a-c above?</b></p> <p>(2) If a crematory authority is unable to cremate the human remains immediately upon taking receipt thereof, the crematory authority shall place the human remains in a holding facility. A holding facility shall be designed and constructed to:</p> <ul style="list-style-type: none"> <li>a. comply with all applicable public health laws,</li> <li>b. provide for the health and safety of persons employed at such facility, and</li> <li>c. prevent any unauthorized access to such facility.</li> </ul> <p><b>Does the facility have a holding facility?</b>  <b>Is the facility clean?</b></p> <p>(3) A crematory authority may refuse to accept for holding an alternative container or casket from which there is any evidence of leakage of the body fluids from the human remains in the container.</p> <p><b>Is the facility aware of this refusal, and is there a method to document such refusal?</b></p> <p>(4) If human remains received by the crematory authority are not embalmed, such remains shall be held no longer than twenty-four hours from the time of death unless the human remains are placed within a refrigerated facility in accordance with the laws of this state.</p> <p><b>Does the crematory have a refrigerated facility?</b>  <b>Is the facility clean?</b></p>	1	
		2	
		3	
		4	
2	<p><b>71-1375. Crematory operation; limitations.</b></p> <p>(1) No person shall be permitted in a crematory, unless authorized by the crematory authority, while any human remains are in the crematory awaiting cremation, being cremated, or being removed from the cremation chamber.</p> <p><b>There were no other persons in the crematory in compliance with 71-1275.</b></p> <p>(2) The human remains of more than one person shall not be simultaneously cremated within the same cremation chamber unless the crematory authority has received specific written authorization from the authorizing agent for the human remains to be so cremated.</p> <p><b>There are safeguards in place to prevent remains for more than one person being simultaneously cremated within the same chamber? (what is the procedure)</b></p>	1	
		2	

**SECTION B - continued**

#	Statute	Rating	
		Yes	No
3	<p><b>71-1376. Crematory authority; operation; requirements.</b></p> <p>(1) A crematory authority shall not accept human remains for cremation without a proper label indicating the name of the deceased and the name and location of the funeral establishment placed on the exterior of the alternative container or casket.</p> <p><b>Is there a label indicating the name of the deceased and the name and location of the funeral establishment placed on the exterior of the alternative container or casket?</b></p>	1	
	<p>(2) No crematory authority shall make or enforce any rules requiring that human remains be placed in a casket before cremation or that human remains be cremated in a casket. No crematory authority shall refuse to accept human remains for cremation if the human remains are not in a casket.</p> <p><b>There is no evidence that the crematory authority requires human remains to be placed in a casket before cremation OR that human remains be cremated in a casket.</b></p> <p><b>There is no evidence that the crematory authority has refused to accept human remains for cremation if the remains are not in a casket.</b></p>	2	
	<p>(3) No crematory authority shall accept human remains for cremation unless the human remains are delivered to the crematory authority in an alternative container or casket or delivered to the crematory authority's holding facility to be placed in an alternative container or casket. Human remains delivered to a crematory in an alternative container shall not be removed from the alternative container, and the alternative container shall be cremated with the human remains. A crematory authority may refuse (a) a noncombustible casket or any other container that is not an alternative container or (b) a casket or container that is not labeled as required under subsection (1) of this section.</p> <p>(4) An alternative container shall:</p> <ul style="list-style-type: none"> <li>(a) Be composed of readily combustible materials suitable for cremation;</li> <li>(b) Be able to be closed to provide for complete encasement of the human remains;</li> <li>(c) Be resistant to leakage or spillage;</li> <li>(d) Be rigid enough for easy handling; and</li> <li>(e) Provide protection for the health and safety of persons handling such container.</li> </ul> <p><b>Are all human remains delivered in an alternative container or casket, and if not, are they immediately placed in a holding facility to be placed in an alternative container or casket?</b></p> <p><b>If using alternative containers, do they meet the requirements specified in item (4) above?</b></p>	3 & 4	

**SECTION B - continued**

#	Statute	Rating	
		Yes	No
4	<p><b>71-1377. Cremation authorization form; required; contents.</b></p> <p>(1) A crematory authority shall not cremate human remains until it has received:</p> <ul style="list-style-type: none"> <li>(a) A cremation authorization form as provided in subsection (2) of this section;</li> <li>(b) A completed and executed permit for transit or cremation as provided by the department or the appropriate cremation permit from the state from which the human remains were delivered, indicating that the human remains are to be cremated; and</li> <li>(c) A delivery receipt form.</li> </ul> <p><b>Prior to cremation, the following is received:</b></p> <ul style="list-style-type: none"> <li>• <b>A cremation authorization form</b></li> <li>• <b>Completed permit for transit or cremation</b></li> <li>• <b>A delivery receipt</b></li> </ul>	1	
	<p>(2) A cremation authorization form shall be signed by the authorizing agent and shall include, but not be limited to, the following information:</p> <ul style="list-style-type: none"> <li>(a) The name of the deceased;</li> <li>(b) Date and place of death;</li> <li>(c) The identity of the funeral director involved in the preparation of the human remains for cremation, if any;</li> <li>(d) Notification that the death did or did not occur from a disease declared by the department to be infectious, contagious, communicable, or dangerous to the public health;</li> <li>(e) The name of the authorizing agent and the relationship between the authorizing agent and the deceased;</li> <li>(f) Authorization by the authorizing agent for the crematory authority to cremate the human remains;</li> <li>(g) A representation that the authorizing agent is aware of no objection to the human remains being cremated by any person who has a right to control the disposition of the human remains;</li> <li>(h) A representation that the human remains do not contain any material, implants, or conditions that may be potentially hazardous to equipment or persons performing the cremation;</li> <li>(i) The name of the person authorized to claim the cremated remains from the crematory authority; and</li> <li>(j) The intended disposition of the cremated remains.</li> </ul> <p><b>The cremation authorization form contains all the information listed in item (2) above.</b></p>	2	
	<p>(3) A crematory authority shall retain, for at least 7 years after the cremation, in printed or electronic format, copies of the cremation authorization form, permit for transit or cremation as provided by the department or cremation permit, cremated remains receipt form, delivery receipt form, and any other records required under the Cremation of Human Remains Act.</p> <p><b>The crematory authority has a procedure for retaining the records identified in item (3) above.</b></p>	3	

**SECTION B - continued**

#	Statute	Rating	
		Yes	No
5	<p><b>71-1377. Cremation authorization form; required; contents.</b>                      (1) No human remains shall be cremated with the knowledge that the human remains contain a pacemaker or defibrillator or other potentially hazardous implant or condition. The authorizing agent shall take all necessary steps to ensure that any such hazardous implant or condition is removed or corrected prior to cremation. If an authorizing agent informs the funeral director and the crematory authority on the cremation authorization form of the presence of such potentially hazardous implant or condition in the human remains, the funeral director shall ensure that all necessary steps have been taken to remove or correct the implant or condition before delivering the human remains to the crematory. A funeral director who knowingly fails to ensure the removal or correction of the hazardous implant or condition prior to delivery and who knowingly delivers such human remains shall be liable for any damages resulting from such failure. If human remains with hazardous implants or conditions are in the custody of a crematory authority, such authority shall have the hazardous implants or conditions removed or corrected by a licensed funeral director and embalmer or a licensed embalmer at a funeral establishment within an embalming preparation room or at a medical facility by appropriate medical personnel.</p> <p><b>The crematory authority has a procedure in place to ensure that no remains will be cremated with the knowledge that the human remains contain a pacemaker or defibrillator or other potentially hazardous implant or condition.</b></p>	1	
	<p>(2) No human remains shall be cremated with the knowledge that the human remains contain jewelry or other valuables. The authorizing agent shall take all necessary steps to ensure that any jewelry or other valuables are removed prior to cremation. If an authorizing agent informs the funeral director and the crematory authority on the cremation authorization form of the presence of jewelry or other valuables on the human remains, the funeral director shall ensure that all necessary steps have been taken to remove the jewelry or other valuables before delivering the human remains to the crematory. A funeral director who knowingly fails to ensure the removal of the jewelry or other valuables prior to delivery and who knowingly delivers such human remains shall be liable for any damages resulting from such failure. If human remains with jewelry or other valuables are in the custody of a crematory authority, such authority shall provide for the removal of such jewelry or other valuables by a licensed funeral director and embalmer or his or her agent.</p> <p><b>The crematory authority has a procedure in place to ensure jewelry or other valuables are removed prior to cremation.</b></p>	2	

**SECTION B - continued**

#	Statute	Rating	
		Yes	No
6	<p><b>71-1381. Cremated remains; how treated.</b></p> <p>(1) In so far as is possible, upon completion of the cremation, all of the recoverable residue of the cremation shall be removed from the cremation chamber and any foreign matter or anything other than bone fragments shall be removed from such residue and shall be disposed of by the crematory authority. The remaining bone fragments shall be processed by pulverization so as to reduce the fragments to unidentifiable particles. This subsection shall not apply when the commingling of human remains during cremation is otherwise authorized by law. The presence of incidental and unavoidable residue in the cremation chamber from a prior cremation is not a violation of this subsection.</p> <p><b>Following each cremation, all recoverable residue of cremation is removed from the cremation chamber and any foreign matter or anything other than bone fragments are removed from such residue and disposed of by the crematory authority.</b></p> <p><b>The remaining bone fragments are processed by pulverization.</b></p>	1	
	<p>(2) The cremated remains with proper identification shall be placed in a temporary container or permanent container selected or provided by the authorizing agent. The cremated remains shall not be contaminated with any other object unless specific written authorization to the contrary has been received from the authorizing agent.</p> <p><b>The crematory authority has available on site temporary or permanent containers.</b></p> <p><b>The cremated remains are placed in a temporary/permanent container and identified.</b></p>	2	
	<p>(3) If the entirety of the cremated remains will not fit within a temporary container or permanent container, then the remainder of such remains shall be returned to the authorizing agent or his or her representative in a separate container with proper identification.</p> <p><b>Cremated remains that do not fit in the container are returned to the authorizing agent or representative in a separate container with proper identification.</b></p>	3	
	<p>(4) If the cremated remains are to be shipped, the temporary container or permanent container shall be packed securely in a suitable shipping container that complies with the requirements of the shipper. Unless otherwise directed in writing by the authorizing agent, cremated remains shall be shipped only by a method which includes an internal tracking system and which provides a receipt signed by the person accepting delivery of such remains.</p> <p><b>There is no evidence of non-compliance with item (4) above.</b></p>	4	

