



DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery & Consumer Services
 200 East Gaines Street
 Tallahassee, FL 32399- 0361

**ELECTION OF PROCEDURES FOR REMOVAL OF CREMATED
 REMAINS AND POSTCREMATION PROCESSING**

S. 497.608, Florida Statutes – Liability for Unintentional Commingling of the Residue of Cremation

- (1) The Legislature recognizes that the unintentional or incidental commingling of the residue of the cremation of human remains is an inevitable byproduct of the cremation process in a cinerator retort or cremation chamber.
- (2) The operator of a cinerator facility shall establish written procedures for the removal of cremated remains, to the extent possible, resulting from the cremation of a human body and the postcremation processing, shipping, packing, or identifying of those remains. The operator of a cinerator facility shall file its written procedures, and any revisions to those written procedures, with the licensing authority for its approval, and effective January 1, 2006, the cremation facility shall not be operated unless it has and follows such written procedures approved by the licensing authority; provided, the licensing authority may adopt by rule standard uniform procedures for the removal of such cremated remains, which may be adopted by any cinerator facility in lieu of promulgating, filing, and obtaining approval of procedures. A cinerator facility choosing to utilize standard uniform procedures specified by rule shall file notice of its choice with the licensing authority pursuant to procedures and forms specified by rule.
- (3) If an operator follows the procedures set forth in written procedures filed with and approved by the licensing authority, or adopts and follows the standard uniform procedures adopted by the licensing authority, the operator shall not be liable for the unintentional or the incidental commingling of cremated remains resulting from more than one cremation cycle or from postcremation processing, shipping, packing, or identifying those remains.
- (4) A copy of the procedures being utilized by a cinerator facility shall be provided by the cinerator facility, upon request, to customers and their representatives, the department, and other legally authorized persons.

This form is used by an applicant or licensed cinerator facility to file notice of its choice to adopt its own written procedures for the removal of cremated remains and postcremation processing or to adopt standard uniform procedures promulgated by the Department. Accordingly,

Cinerator Facility Name:

License #:

Location Address:

(Check one)

Chooses to adopt its own written procedures attached hereto and submitted to the Board of Funeral, Cemetery and Consumer Services for approval.

Chooses to adopt standard uniform procedures promulgated by the Department as specified in Rule 69K-22.007, Florida Administrative Code.

 (Signature of Principal)

 (Print Name and Title)

 (Date Signed)