

1 A bill to be entitled

2 An act relating to disposition of human remains;
3 amending s. 382.002, F.S.; revising definitions for
4 purposes of the Florida Vital Statistics Act; amending
5 s. 382.006, F.S.; authorizing the Department of Health
6 to issue burial-transit permits; amending s. 382.008,
7 F.S.; revising procedures for the registration of
8 certificates of death or fetal death and the medical
9 certification of causes of death; providing a
10 definition; amending s. 382.011, F.S.; extending the
11 time by which certain deaths must be referred to the
12 medical examiner for investigation; creating s.
13 406.49, F.S.; providing definitions; amending s.
14 406.50, F.S.; revising procedures for the reporting
15 and disposition of unclaimed remains; prohibiting
16 certain uses or dispositions of the remains of
17 deceased persons whose identities are not known;
18 limiting the liability of licensed funeral directors
19 who authorize the embalming of unclaimed remains under
20 certain circumstances; amending s. 406.51, F.S.;
21 requiring that local governmental contracts for the
22 final disposition of unclaimed remains comply with
23 certain federal regulations; amending s. 406.52, F.S.;
24 revising procedures for the anatomical board's
25 retention of human remains before their use; providing
26 for claims by, and the release of human remains to,
27 legally authorized persons after payment of certain
28 expenses; authorizing county ordinances or resolutions

29 | for the final disposition of the unclaimed remains of
30 | indigent persons; limiting the liability of certain
31 | licensed persons for cremating or burying human
32 | remains under certain circumstances; amending s.
33 | 406.53, F.S.; revising exceptions from requirements
34 | for notice to the anatomical board of the death of
35 | indigent persons; deleting a requirement that the
36 | Department of Health assess fees for the burial of
37 | certain bodies; amending ss. 406.55, 406.56, and
38 | 406.57, F.S.; conforming provisions; amending s.
39 | 406.58, F.S.; requiring audits of the financial
40 | records of the anatomical board; conforming
41 | provisions; amending s. 406.59, F.S.; conforming
42 | provisions; amending s. 406.60, F.S.; authorizing
43 | certain facilities to dispose of human remains by
44 | cremation; amending s. 406.61, F.S.; revising
45 | provisions prohibiting the selling or buying of human
46 | remains or the transmitting or conveying of such
47 | remains outside the state; providing penalties;
48 | excepting accredited nontransplant anatomical donation
49 | organizations from requirements for the notification
50 | of and approval from the anatomical board for the
51 | conveyance of human remains for specified purposes;
52 | requiring that nontransplant anatomical donation
53 | organizations be accredited by a certain date;
54 | requiring that human remains received by the
55 | anatomical board be accompanied by a burial-transit
56 | permit; requiring approval by the medical examiner and

57 consent of certain persons before the dissection,
58 segmentation, or disarticulation of such remains;
59 prohibiting the offer of any monetary inducement or
60 other valuable consideration in exchange for human
61 remains; providing a definition; deleting an expired
62 provision; conforming provisions; amending s. 497.005,
63 F.S.; revising a definition for purposes of the
64 Florida Funeral, Cemetery, and Consumer Services Act;
65 amending s. 497.382, F.S.; revising certain reporting
66 requirements for funeral establishments, direct
67 disposal establishments, cinerator facilities, and
68 centralized embalming facilities; amending s. 497.607,
69 F.S.; providing requirements for the disposal of
70 unclaimed cremated remains by funeral or direct
71 disposal establishments; limiting the liability of
72 funeral or direct disposal establishments and
73 veterans' service organizations related to the release
74 of information required to determine the eligibility
75 for internment in a national cemetery of the unclaimed
76 cremated remains of a veteran; providing definitions;
77 amending s. 765.513, F.S.; revising the list of donees
78 who may accept anatomical gifts and the purposes for
79 which such a gift may be used; repealing s. 406.54,
80 F.S., relating to claims of bodies after delivery to
81 the anatomical board; providing an effective date.

82
83 Be It Enacted by the Legislature of the State of Florida:
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85 Section 1. Subsections (8) and (9) of section 382.002,
 86 Florida Statutes, are amended to read:

87 382.002 Definitions.—As used in this chapter, the term:

88 (8) "Final disposition" means the burial, interment,
 89 cremation, removal from the state, anatomical donation, or other
 90 authorized disposition of a dead body or a fetus as described in
 91 subsection (7). In the case of cremation, dispersion of ashes or
 92 cremation residue is considered to occur after final
 93 disposition; the cremation itself is considered final
 94 disposition. In the case of anatomical donation of a dead body,
 95 the donation itself is considered final disposition.

96 (9) "Funeral director" means a licensed funeral director
 97 or direct disposer licensed pursuant to chapter 497 ~~or other~~
 98 ~~person~~ who first assumes custody of or effects the final
 99 disposition of a dead body or a fetus as described in subsection
 100 (7).

101 Section 2. Subsection (2) of section 382.006, Florida
 102 Statutes, is amended to read:

103 382.006 Burial-transit permit.—

104 (2) A burial-transit permit shall be issued by the
 105 department or the local registrar or subregistrar of the
 106 registration district in which the death occurred or the body
 107 was found. A burial-transit permit may ~~shall~~ not be issued:

108 (a) Until a complete and satisfactory certificate of death
 109 or fetal death is ~~has been~~ filed in accordance with the
 110 requirements of this chapter and adopted rules, unless the
 111 funeral director provides adequate assurance that a complete and
 112 satisfactory certificate will be so registered.

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113 (b) Except under conditions prescribed by the department,
114 if the death occurred from some disease that ~~which~~ is deemed
115 ~~held~~ by the department to be infectious, contagious, or
116 communicable and dangerous to the public health.

117 Section 3. Paragraph (a) of subsection (2) and subsections
118 (3), (4), and (5) of section 382.008, Florida Statutes, are
119 amended to read:

120 382.008 Death and fetal death registration.—

121 (2) (a) The funeral director who first assumes custody of a
122 dead body or fetus shall file the certificate of death or fetal
123 death. In the absence of the funeral director, the physician or
124 other person in attendance at or after the death or the district
125 medical examiner of the county in which the death occurred or
126 the body was found shall file the certificate of death or fetal
127 death. The person who files the certificate shall obtain
128 personal data from the next of kin or the best qualified person
129 or source available. The medical certification of cause of death
130 shall be furnished to the funeral director, either in person or
131 via certified mail or electronic transfer, by the physician or
132 medical examiner responsible for furnishing such information.
133 For fetal deaths, the physician, midwife, or hospital
134 administrator shall provide any medical or health information to
135 the funeral director within 72 hours after expulsion or
136 extraction.

137 (3) Within 72 hours after receipt of a death or fetal
138 death certificate from the funeral director, the medical
139 certification of cause of death shall be completed and made
140 available to the funeral director by the decedent's primary or

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141 ~~attending physician in charge of the decedent's care for the~~
 142 ~~illness or condition which resulted in death, the physician in~~
 143 ~~attendance at the time of death or fetal death or immediately~~
 144 ~~before or after such death or fetal death, or, if s. 382.011~~
 145 applies, the district medical examiner of the county in which
 146 the death occurred or the body was found ~~if the provisions of s.~~
 147 ~~382.011 apply.~~ The primary or attending physician or medical
 148 examiner shall certify over his or her signature the cause of
 149 death to the best of his or her knowledge and belief. As used in
 150 this section, the term "primary or attending physician" means a
 151 physician who treated the decedent through examination, medical
 152 advice, or medication during the 12 months preceding the date of
 153 death.

154 (a) The local registrar may grant the funeral director an
 155 extension of time upon a good and sufficient showing of any of
 156 the following conditions:

- 157 1. An autopsy is pending.
- 158 2. Toxicology, laboratory, or other diagnostic reports
 159 have not been completed.
- 160 3. The identity of the decedent is unknown and further
 161 investigation or identification is required.

162 (b) If the decedent's primary or attending physician or
 163 district medical examiner of the county in which the death
 164 occurred or the body was found indicates ~~has indicated~~ that he
 165 or she will sign and complete the medical certification of cause
 166 of death, but will not be available until after the 5-day
 167 registration deadline, the local registrar may grant an
 168 extension of 5 days. If a further extension is required, the

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169 funeral director must provide written justification to the
 170 registrar.

171 (4) If the local registrar grants ~~has granted~~ an extension
 172 of time to provide the medical certification of cause of death,
 173 the funeral director shall file a temporary certificate of death
 174 or fetal death which shall contain all available information,
 175 including the fact that the cause of death is pending. The
 176 decedent's primary or attending physician or the district
 177 medical examiner of the county in which the death occurred or
 178 the body was found shall provide an estimated date for
 179 completion of the permanent certificate.

180 (5) A permanent certificate of death or fetal death,
 181 containing the cause of death and any other information that
 182 ~~which~~ was previously unavailable, shall be registered as a
 183 replacement for the temporary certificate. The permanent
 184 certificate may also include corrected information if the items
 185 being corrected are noted on the back of the certificate and
 186 dated and signed by the funeral director, physician, or district
 187 medical examiner of the county in which the death occurred or
 188 the body was found, as appropriate.

189 Section 4. Subsection (1) of section 382.011, Florida
 190 Statutes, is amended to read:

191 382.011 Medical examiner determination of cause of death.—

192 (1) In the case of any death or fetal death due to causes
 193 or conditions listed in s. 406.11, any ~~or where the~~ death that
 194 occurred more than 12 months ~~30 days~~ after the decedent was last
 195 treated by a primary or attending physician as defined in s.
 196 382.008(3) ~~unless the death was medically expected as certified~~

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197 ~~by an attending physician,~~ or any death for which ~~where~~ there is
 198 reason to believe that the death may have been due to an
 199 unlawful act or neglect, the funeral director or other person to
 200 whose attention the death may come shall refer the case to the
 201 district medical examiner of the county ~~district~~ in which the
 202 death occurred or the body was found for investigation and
 203 determination of the cause of death.

204 Section 5. Section 406.49, Florida Statutes, is created to
 205 read:

206 406.49 Definitions.—As used in this part, the term:

207 (1) "Anatomical board" means the anatomical board of the
 208 state headquartered at the University of Florida Health Science
 209 Center.

210 (2) "Cremated remains" has the same meaning as provided in
 211 s. 497.005.

212 (3) "Final disposition" has the same meaning as provided
 213 in s. 497.005.

214 (4) "Human remains" or "remains" has the same meaning as
 215 provided in s. 497.005.

216 (5) "Indigent person" means a person whose family income
 217 does not exceed 100 percent of the current federal poverty
 218 guidelines prescribed for the family's household size by the
 219 United States Department of Health and Human Services.

220 (6) "Legally authorized person" has the same meaning as
 221 provided in s. 497.005.

222 (7) "Unclaimed remains" means human remains that are not
 223 claimed by a legally authorized person, other than a medical

224 examiner or the board of county commissioners, for final
 225 disposition at the person's expense.

226 Section 6. Section 406.50, Florida Statutes, is amended to
 227 read:

228 406.50 Unclaimed ~~dead bodies or human~~ remains;
 229 disposition, procedure.-

230 (1) A person or entity that comes ~~All public officers,~~
 231 ~~agents, or employees of every county, city, village, town, or~~
 232 ~~municipality and every person in charge of any prison, morgue,~~
 233 ~~hospital, funeral parlor, or mortuary and all other persons~~
 234 ~~coming into possession, charge, or control of~~ unclaimed ~~any dead~~
 235 ~~human body or remains that which are unclaimed or which are~~
 236 ~~required to be buried or cremated at public expense~~ shall ~~are~~
 237 ~~hereby required to notify,~~ immediately notify, the anatomical
 238 board, unless:

239 (a) The unclaimed remains are decomposed or mutilated by
 240 wounds;

241 (b) An autopsy is performed on the remains;

242 (c) The remains contain ~~whenever any such body, bodies, or~~
 243 ~~remains come into its possession, charge, or control.~~
 244 ~~Notification of the anatomical board is not required if the~~
 245 ~~death was caused by crushing injury, the deceased had a~~
 246 ~~contagious disease;~~

247 (d) A legally authorized person, ~~an autopsy was required~~
 248 ~~to determine cause of death, the body was in a state of severe~~
 249 ~~decomposition, or a family member objects to use of the~~ remains
 250 ~~body for medical education~~ or ~~and~~ research; or

251 (e) The deceased person was a veteran of the United States

252 Armed Forces, United States Reserve Forces, or National Guard
 253 and is eligible for burial in a national cemetery or was the
 254 spouse or dependent child of a veteran eligible for burial in a
 255 national cemetery.

256 ~~(2)(1)~~ Before the final disposition of unclaimed remains,
 257 the person or entity in charge or control of the ~~dead body or~~
 258 ~~human~~ remains shall make a reasonable effort to ~~determine:~~

259 (a) Determine the identity of the deceased person and
 260 ~~shall further make a reasonable effort to~~ contact any relatives
 261 of the ~~such~~ deceased person.

262 (b) Determine whether ~~or not~~ the deceased person is
 263 eligible under 38 C.F.R. s. 38.620 for ~~entitled to~~ burial in a
 264 national cemetery as a veteran of the armed forces and, if
 265 eligible ~~so,~~ to cause the deceased person's remains or cremated
 266 remains to be delivered to a national cemetery ~~shall make~~
 267 ~~arrangements for such burial services in accordance with the~~
 268 ~~provisions of 38 C.F.R.~~

269
 270 For purposes of this subsection, "a reasonable effort" includes
 271 contacting the National Cemetery Scheduling Office, the county
 272 veterans service office, or the regional office of the United
 273 States Department of Veterans Affairs.

274 ~~(3)(2)~~ Unclaimed remains ~~Such dead human bodies as~~
 275 ~~described in this chapter~~ shall be delivered to the anatomical
 276 board as soon as possible after death. When no family exists or
 277 is available, a funeral director licensed under chapter 497 may
 278 assume the responsibility of a legally authorized person and
 279 may, after 24 hours have elapsed since the time of death,

280 authorize arterial embalming for the purposes of storage and
 281 delivery of unclaimed remains to the anatomical board. A funeral
 282 director licensed under chapter 497 is not liable for damages
 283 under this subsection.

284 (4) The remains of a deceased person whose identity is not
 285 known may not be cremated, donated as an anatomical gift, buried
 286 at sea, or removed from the state.

287 (5) If the anatomical board does not accept the unclaimed
 288 remains, the board of county commissioners or its designated
 289 county department of the county in which the death occurred or
 290 the remains were found may authorize and arrange for the burial
 291 or cremation of the entire remains. A board of county
 292 commissioners may by resolution or ordinance, in accordance with
 293 applicable laws and rules, prescribe policies and procedures for
 294 final disposition of unclaimed remains.

295 (6)(3) This part does not ~~Nothing herein shall~~ affect the
 296 right of a medical examiner to hold human ~~such dead body or~~
 297 remains for the purpose of investigating the cause of death or,
 298 ~~nor shall this chapter affect~~ the right of any court of
 299 competent jurisdiction to enter an order affecting the
 300 disposition of such ~~body or~~ remains.

301 ~~(4) In the event more than one legally authorized person~~
 302 ~~claims a body for interment, the requests shall be prioritized~~
 303 ~~in accordance with s. 732.103.~~

304
 305 ~~For purposes of this chapter, the term "anatomical board" means~~
 306 ~~the anatomical board of this state located at the University of~~
 307 ~~Florida Health Science Center, and the term "unclaimed" means a~~

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308 ~~dead body or human remains that is not claimed by a legally~~
309 ~~authorized person, as defined in s. 497.005, for interment at~~
310 ~~that person's expense.~~

311 Section 7. Section 406.51, Florida Statutes, is amended to
312 read:

313 406.51 Final disposition of unclaimed deceased veterans;
314 contract requirements.—Any contract by a local governmental
315 entity for the final disposition ~~disposal~~ of unclaimed human
316 remains must provide for compliance with s. 406.50(2) ~~406.50(1)~~
317 and require that the procedures in 38 C.F.R. s. 38.620, relating
318 to disposition of unclaimed deceased veterans, are ~~be~~ followed.

319 Section 8. Section 406.52, Florida Statutes, is amended to
320 read:

321 (Substantial rewording of section. See
322 s. 406.52, F.S., for present text.)

323 406.52 Retention of human remains before use; claim after
324 delivery to anatomical board; procedures for unclaimed remains
325 of indigent persons.—

326 (1) The anatomical board shall keep in storage all human
327 remains that it receives for at least 48 hours before allowing
328 their use for medical education or research. Human remains may
329 be embalmed when received. The anatomical board may, for any
330 reason, refuse to accept unclaimed remains or the remains of an
331 indigent person.

332 (2) At any time before their use for medical education or
333 research, human remains delivered to the anatomical board may be
334 claimed by a legally authorized person. The anatomical board
335 shall release the remains to the legally authorized person after

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336 payment of the anatomical board's expenses incurred for
337 transporting, embalming, and storing the remains.

338 (3) (a) A board of county commissioners may by resolution
339 or ordinance, in accordance with applicable laws and rules,
340 prescribe policies and procedures for the burial or cremation of
341 the entire unclaimed remains of an indigent person whose death
342 occurred, or whose remains were found, in the county.

343 (b) A person licensed under chapter 497 is not liable for
344 any damages resulting from cremating or burying such human
345 remains at the written direction of the board of county
346 commissioners or its designee.

347 Section 9. Section 406.53, Florida Statutes, is amended to
348 read:

349 (Substantial rewording of section. See
350 s. 406.53, F.S., for present text.)

351 406.53 Unclaimed remains of indigent person; exemption
352 from notice to the anatomical board.—A board of county
353 commissioners or its designated county department that receives
354 a report of the unclaimed remains of an indigent person,
355 notwithstanding s. 406.50(1), is not required to notify the
356 anatomical board of the remains if:

357 (1) The indigent person's remains are decomposed or
358 mutilated by wounds or if an autopsy is performed on the
359 remains;

360 (2) A legally authorized person or a relative by blood or
361 marriage claims the remains for final disposition at his or her
362 expense or, if such relative or legally authorized person is
363 also an indigent person, in a manner consistent with the

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364 policies and procedures of the board of county commissioners of
 365 the county in which the death occurred or the remains were
 366 found;

367 (3) The deceased person was a veteran of the United States
 368 Armed Forces, United States Reserve Forces, or National Guard
 369 and is eligible for burial in a national cemetery or was the
 370 spouse or dependent child of a veteran eligible for burial in a
 371 national cemetery; or

372 (4) A funeral director licensed under chapter 497
 373 certifies that the anatomical board has been notified and either
 374 accepted or declined the remains.

375 Section 10. Section 406.55, Florida Statutes, is amended
 376 to read:

377 406.55 Contracts for delivery of human remains ~~body~~ after
 378 death prohibited.—The anatomical board may not enter ~~is~~
 379 ~~specifically prohibited from entering~~ into any contract, oral or
 380 written, that provides for ~~whereby~~ any sum of money to ~~shall~~ be
 381 paid to any living person in exchange for ~~which~~ the delivery of
 382 that person's remains ~~body of said person shall be delivered to~~
 383 the anatomical board when the ~~such living~~ person dies.

384 Section 11. Section 406.56, Florida Statutes, is amended
 385 to read:

386 406.56 Acceptance of human remains ~~bodies~~ under will.—If
 387 any person ~~being~~ of sound mind executes ~~shall execute~~ a will
 388 leaving his or her remains ~~body~~ to the anatomical board for ~~the~~
 389 ~~advancement of medical~~ education or research ~~science and the~~
 390 ~~such~~ person dies within the geographical limits of the state,

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391 the anatomical board may ~~is hereby empowered to~~ accept and
 392 receive the person's remains ~~such body~~.

393 Section 12. Section 406.57, Florida Statutes, is amended
 394 to read:

395 406.57 Distribution of human remains ~~dead bodies~~.—The
 396 anatomical board or its duly authorized agent shall take and
 397 receive human remains ~~the bodies~~ delivered to it as provided in
 398 ~~under the provisions of~~ this chapter and shall:

399 (1) Distribute the remains ~~them~~ equitably ~~to and~~ among the
 400 medical and dental schools, teaching hospitals, medical
 401 institutions, and health-related teaching programs that require
 402 cadaveric material for study; or

403 (2) Loan the remains ~~same may be loaned for examination or~~
 404 ~~study purposes~~ to accredited colleges of mortuary science
 405 ~~recognized associations of licensed embalmers or funeral~~
 406 ~~directors,~~ or medical or dental examining boards for educational
 407 or research purposes ~~at the discretion of the anatomical board~~.

408 Section 13. Section 406.58, Florida Statutes, is amended
 409 to read:

410 406.58 Fees; authority to accept additional funds; annual
 411 audit.—

412 (1) The anatomical board may:

413 (a) Adopt ~~is empowered to~~ prescribe a schedule of fees to
 414 be collected from the institutions ~~institution or association~~ to
 415 which the human remains ~~bodies,~~ as described in this chapter,
 416 are distributed or loaned to defray the costs of obtaining and
 417 preparing the remains ~~such bodies~~.

418 (b) ~~(2) The anatomical board is hereby empowered to~~ Receive

419 money from public or private sources, in addition to the fees
 420 collected from the institutions ~~institution or association~~ to
 421 which human remains ~~the bodies~~ are distributed, to be used to
 422 defray the costs of embalming, handling, shipping, storing,
 423 cremating, and otherwise ~~storage, cremation, and other costs~~
 424 ~~relating to the obtaining and~~ using the remains. ~~use of such~~
 425 ~~bodies as described in this chapter; the anatomical board is~~
 426 ~~empowered to~~

427 (c) Pay or reimburse the reasonable expenses, as
 428 determined by the anatomical board, incurred by a funeral
 429 establishment or removal service licensed under chapter 497 for
 430 the removal, storage, and transportation ~~any person delivering~~
 431 ~~the bodies as described in this chapter~~ to the anatomical board
 432 of unclaimed human remains. ~~and is further empowered to~~

433 (d) Enter into contracts and perform such other acts as
 434 are necessary for ~~to~~ the proper performance of its duties. ~~+~~

435 (2) The anatomical board shall keep a complete record of
 436 all fees and other financial transactions. The University of
 437 Florida shall conduct an audit of the financial records of the
 438 anatomical board at least once every 3 years or more frequently
 439 as the university deems necessary. Within 90 days after
 440 completing an audit, the university shall provide a copy of the
 441 audit to the Department of Financial Services. The university
 442 may contract with a licensed public accounting firm to provide
 443 for the audit, which firm may be paid from the fees collected by
 444 ~~the of said anatomical board shall be kept and audited annually~~
 445 ~~by the Department of Financial Services, and a report of such~~
 446 ~~audit shall be made annually to the University of Florida.~~

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447 Section 14. Section 406.59, Florida Statutes, is amended
 448 to read:

449 406.59 Institutions receiving human remains ~~bodies~~. ~~A No~~
 450 university, school, college, teaching hospital, or institution
 451 ~~may not, or association shall be allowed or permitted to~~ receive
 452 any human remains from the anatomical board ~~such body or bodies~~
 453 ~~as described in this chapter~~ until its facilities are ~~have been~~
 454 inspected and approved by the anatomical board. Human remains
 455 ~~All such bodies~~ received by such university, school, college,
 456 teaching hospital, or institution ~~may not, or association shall~~
 457 be used for any no other purpose other than ~~the promotion of~~
 458 medical education or research ~~science~~.

459 Section 15. Section 406.60, Florida Statutes, is amended
 460 to read:

461 406.60 Disposition of human remains ~~bodies~~ after use. ~~At~~
 462 ~~any time~~ When human remains ~~any body or bodies or part or parts~~
 463 ~~of any body or bodies, as described in this chapter, shall~~ have
 464 been used for, and are not deemed of any no further value to,
 465 medical or dental education or research ~~science,~~ ~~then~~ the
 466 anatomical board or a cinerator facility licensed under chapter
 467 497 ~~person or persons having charge of said body or parts of~~
 468 ~~said body~~ may dispose of the remains or any part thereof by
 469 cremation.

470 Section 16. Section 406.61, Florida Statutes, is amended
 471 to read:

472 406.61 Selling, buying, or conveying human remains ~~bodies~~
 473 outside state prohibited; exceptions; penalty.-

474 (1) (a) The anatomical board may transport human remains

475 outside the state for educational or scientific purposes. ~~Any~~
 476 ~~person who sells or buys any body or parts of bodies as~~
 477 ~~described in this chapter or any person except a recognized~~
 478 ~~Florida medical or dental school who transmits or conveys or~~
 479 ~~causes to be transmitted or conveyed such body or parts of~~
 480 ~~bodies to any place outside this state commits a misdemeanor of~~
 481 ~~the first degree, punishable as provided in ss. 775.082 and~~
 482 ~~775.083. However,~~ This chapter does not prohibit the transport
 483 of anatomical board from transporting human remains, any part of
 484 such remains specimens ~~outside the state for educational or~~
 485 ~~scientific purposes or prohibit the transport of bodies, parts~~
 486 ~~of bodies,~~ or tissue specimens in furtherance of lawful
 487 examination, investigation, or autopsy conducted pursuant to s.
 488 406.11.

489 (b) A ~~Any~~ person, institution, or organization that
 490 conveys human remains ~~bodies~~ or any part thereof ~~parts of bodies~~
 491 into or outside ~~out of~~ the state for medical or dental education
 492 or research purposes must ~~shall~~ notify the anatomical board of
 493 such intent and receive approval from the board.

494 (c) Notwithstanding paragraph (b), a nontransplant
 495 anatomical donation organization accredited by the American
 496 Association of Tissue Banks may convey human remains or any part
 497 thereof into or outside the state for medical or dental
 498 education or research purposes without notifying or receiving
 499 approval from the anatomical board. Effective October 1, 2014, a
 500 nontransplant anatomical donation organization must be
 501 accredited by the American Association of Tissue Banks.

502 (d) A person who sells or buys human remains or any part

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503 thereof, or a person who transmits or conveys or causes to be
504 transmitted or conveyed such remains or part thereof to any
505 place outside this state, in violation of this section commits a
506 misdemeanor of the first degree, punishable as provided in s.
507 775.082 or s. 775.083. This paragraph does not apply to a
508 recognized Florida medical or dental school.

509 (2) (a) Human remains received in this state by the
510 anatomical board or a nontransplant anatomical donation
511 organization must be accompanied by the original burial-transit
512 permit issued pursuant to s. 382.007. The remains may not be
513 dissected, segmented, or disarticulated until the district
514 medical examiner of the county in which the death occurred or
515 the remains were found grants approval pursuant to s. 406.11.

516 (b) A nontransplant anatomical donation organization must
517 obtain specific written consent for the dissection,
518 segmentation, or disarticulation of any part of the remains from
519 a person who is authorized under s. 765.512 to give such
520 consent. Such consent must conspicuously describe each part of
521 the remains that may be dissected, segmented, or disarticulated.

522 (3) A person may not offer in exchange for human remains
523 any monetary inducement or other valuable consideration,
524 including goods or services, to a donor, a legally authorized
525 person, the donor's estate, or any other third party. As used in
526 this subsection, the term "valuable consideration" does not
527 include, and this subsection does not prohibit, payment or
528 reimbursement of the reasonable costs associated with the
529 removal, storage, and transportation of human remains, including
530 payment or reimbursement of a funeral establishment or removal

531 service licensed under chapter 497 or the reasonable costs after
 532 use, including payment or reimbursement for the disposition of
 533 human remains pursuant to s. 406.60.

534 ~~(4)(2)~~ An ~~Any~~ entity accredited by the American
 535 Association of Museums may convey plastinated human remains
 536 ~~bodies~~ or any part thereof within, ~~parts of bodies~~ into, or
 537 outside ~~out~~ of the state for exhibition and public educational
 538 purposes without the consent of the anatomical board if the
 539 accredited entity:

540 (a) Notifies the anatomical board of the conveyance and
 541 the duration and location of the exhibition at least 30 days
 542 before the intended conveyance.

543 (b) Submits to the anatomical board a description of the
 544 remains ~~bodies~~ or any part thereof ~~parts of bodies~~ and the name
 545 and address of the company providing the remains ~~bodies~~ or any
 546 part thereof ~~parts of bodies~~.

547 (c) Submits to the anatomical board documentation that the
 548 remains or each part thereof ~~body~~ was donated by the decedent or
 549 his or her next of kin for purposes of plastination and public
 550 exhibition, or, in lieu of such documentation, an affidavit
 551 stating that the remains or each part thereof ~~body~~ was donated
 552 directly by the decedent or his or her next of kin for such
 553 purposes to the company providing the remains ~~body~~ and that such
 554 company has a donation form on file for the remains ~~body~~.

555 ~~(3) Notwithstanding paragraph (2)(c) and in lieu of the~~
 556 ~~documentation or affidavit required under paragraph (2)(c), for~~
 557 ~~a plastinated body that, before July 1, 2009, was exhibited in~~
 558 ~~this state by any entity accredited by the American Association~~

559 ~~of Museums, such an accredited entity may submit an affidavit to~~
 560 ~~the board stating that the body was legally acquired and that~~
 561 ~~the company providing the body has acquisition documentation on~~
 562 ~~file for the body. This subsection expires January 1, 2012.~~

563 Section 17. Subsection (32) of section 497.005, Florida
 564 Statutes, is amended to read:

565 497.005 Definitions.—As used in this chapter, the term:

566 (32) "Final disposition" means the final disposal of a
 567 dead human body by earth interment, aboveground interment,
 568 cremation, burial at sea, anatomical donation, or delivery to a
 569 medical institution for lawful dissection if the medical
 570 institution or entity receiving the anatomical donation assumes
 571 responsibility for disposition after use pursuant to s. 406.60
 572 ~~disposal~~. The term "Final disposition" does not include the
 573 disposal or distribution of cremated remains and residue of
 574 cremated remains.

575 Section 18. Section 497.382, Florida Statutes, is amended
 576 to read:

577 497.382 Reports of cases embalmed and bodies handled.—

578 (1) Each funeral establishment, direct disposal
 579 establishment, cinerator facility, and centralized embalming
 580 facility shall record monthly ~~report~~ on a form prescribed and
 581 furnished by the licensing authority the name of the deceased
 582 and such other information as may be required by rule with
 583 respect to each dead human body embalmed or otherwise handled by
 584 the establishment or facility. Such forms shall be signed
 585 monthly by the embalmer who performs the embalming, if the body
 586 is embalmed, and the funeral director in charge of the

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587 establishment or facility or by the direct disposer who disposes
588 of the body and shall be maintained at the business premises of
589 the establishment or facility for inspection by division staff.
590 The licensing authority shall prescribe by rule the procedures
591 for preparing and retaining in submitting such forms
592 documentation. ~~Reports required by this subsection shall be~~
593 ~~filed by the 20th day of each month for final dispositions~~
594 ~~handled the preceding month.~~

595 (2) Funeral directors performing disinterments shall
596 record monthly on the form specified in subsection (1) and
597 pursuant to report, using a form and procedures prescribed
598 ~~specified~~ by rule, the name of the deceased and such other
599 information as may be required by rule with respect to each dead
600 human body disinterred.

601 Section 19. Subsection (2) of section 497.607, Florida
602 Statutes, is amended to read:

603 497.607 Cremation; procedure required.—

604 (2) (a) With respect to any person who intends to provide
605 for the cremation of the deceased, if, after a period of 120
606 days from the time of cremation the cremated remains have not
607 been claimed, the funeral or direct disposal establishment may
608 dispose of the cremated remains. Such disposal shall include
609 scattering them at sea or placing them in a licensed cemetery
610 scattering garden or pond or in a church columbarium or
611 otherwise disposing of the remains as provided by rule.

612 (b) A reasonable effort shall be made before such disposal
613 to determine whether the cremated remains are those of a veteran
614 of the United States Armed Forces, United States Reserve Forces,

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615 or National Guard eligible for burial in a national cemetery or
616 a spouse or dependent child of a veteran eligible for burial in
617 a national cemetery.

618 (c) If the unclaimed cremated remains are those of an
619 eligible veteran or the spouse or dependent child of an eligible
620 veteran, the funeral or direct disposal establishment shall
621 arrange for the interment of the cremated remains in a national
622 cemetery. A funeral or direct disposal establishment may use the
623 assistance of a veterans' service organization for this purpose.
624 A funeral or direct disposal establishment or veterans' service
625 organization acting in good faith is not liable for any damages
626 resulting from the release of required information to determine
627 eligibility for interment.

628 (d) This subsection does not require a funeral or direct
629 disposal establishment to:

630 1. Determine whether the cremated remains are those of a
631 veteran if the funeral or direct disposal establishment is
632 informed by a legally authorized person that the decedent was
633 not a veteran.

634 2. Relinquish possession of the cremated remains to a
635 veterans' service organization if the funeral or direct disposal
636 establishment is informed by a legally authorized person that
637 the decedent did not desire any funeral, ceremony, or interment-
638 related services recognizing the decedent's service as a
639 veteran.

640 (e) For purposes of this subsection, the term:

641 1. "Reasonable effort" includes contacting the National
642 Cemetery Scheduling Office, the county veterans service office,

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643 the regional office of the United States Department of Veterans
644 Affairs, or a veterans' service organization.

645 2. "Veterans' service organization" means an association,
646 corporation, or other entity that qualifies under s. 501(c)(3)
647 or s. 501(c)(19) of the Internal Revenue Code as a tax-exempt
648 organization, that is organized for the benefit of veterans'
649 burial and interment, and that is recognized by the Memorial
650 Affairs Division of the United States Department of Veterans
651 Affairs. The term includes a member or employee of an eligible
652 nonprofit veterans' corporation, association, or entity that
653 specifically assists in facilitating the identification,
654 recovery, and interment of the unclaimed cremated remains of
655 veterans.

656 Section 20. Subsection (1) of section 765.513, Florida
657 Statutes, is amended to read:

658 765.513 Donees; purposes for which anatomical gifts may be
659 made.—

660 (1) The following persons or entities may become donees of
661 anatomical gifts of bodies or parts of them for the purposes
662 stated:

663 (a) Any procurement organization or accredited medical or
664 dental school, college, or university for education, research,
665 therapy, or transplantation.

666 (b) Any individual specified by name for therapy or
667 transplantation needed by him or her.

668 (c) The anatomical board as defined in s. 406.49 for
669 donation of the whole body for medical or dental education or
670 research.

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671 | Section 21. Section 406.54, Florida Statutes, is repealed.
672 | Section 22. This act shall take effect July 1, 2013.