CHAPTER 33-06-15
PREPARATION OF BODIES AND TRANSPORTATION

Section
33-06-15-01 Preparation of Bodies With Certain Communicable Diseases and Transportation of the Dead

33-06-15-01. Preparation of bodies with certain communicable diseases and transportation of the dead.

1. **Communicable diseases.** The following requirements shall be met by funeral directors for bodies dead from these contagious or infectious diseases - anthrax, cholera, meningococcus meningitis, plague, smallpox, and tuberculosis:

   a. Only a licensed funeral practitioner or an intern embalmer who is closely supervised by a licensed funeral practitioner shall accept and prepare the body.

   b. In the preparation of the body, appropriate outer garments and rubber gloves shall be worn.

   c. The body shall be thoroughly embalmed with an approved disinfecting fluid by arterial and cavity injection, all orifices and any discharging sinuses closed with absorbent cotton, and the body washed with an appropriate disinfecting fluid.

      No embalming fluid containing compounds of arsenic, mercury, zinc, or other highly poisonous metals shall be sold or used in North Dakota for the embalming of dead human bodies for burial.

   d. Following the preparation, the instruments shall be sterilized by boiling or placing in an antiseptic solution, and the hands shall be washed with soap and water.

   e. Without delay, the body shall receive the finishing preparation, placed in a casket, and the casket permanently closed. The casket may be provided with transparent material of sufficient dimensions to disclose the face.

   f. Bodies prepared as herein stated may be accepted for transportation.

2. **Embalming and transportation.**

   a. A burial-transit permit may be issued for the bodies of those dead from causes listed under subsection 1 only if the body has been embalmed.

   b. A burial-transit permit may be issued for the bodies of those dead from causes other than those listed under subsection 1 without embalming or refrigeration, provided they reach their destination within forty-eight hours from the time of death. If the body cannot reach its destination within the prescribed forty-eight hours, it must be embalmed.

   c. A burial-transit permit may be issued for the bodies of those dead from causes other than those listed under subsection 1 without embalming if they are refrigerated to a temperature of between thirty-eight and forty degrees Fahrenheit, provided they reach their destination within seventy-two hours from the time of death. If the body cannot reach its destination within the prescribed seventy-two hours with constant refrigeration, it must be embalmed.

   d. Destination shall be considered the burial, cremation, or final disposition of the body. Storage of a body during the winter months when burial is difficult shall not be considered final disposition.

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