

105 CMR: DEPARTMENT OF PUBLIC HEALTH

105 CMR 310.000: TRANSPORTATION AND FUNERALS OF PERSONS DEAD OF DISEASES DANGEROUS TO PUBLIC HEALTH

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310.001: Purpose

The purpose of 105 CMR 310.000 is to regulate the transportation and funerals of persons dead of diseases dangerous to public health.

310.002: Authority

105 CMR 310.000 is adopted under authority of M.G.L. c. 111, §§ 3 and 107.

310.003: Citation

105 CMR 310.000 shall be known, and may be cited, as 105 CMR 310.000: *Transportation and Funerals of Persons Dead of Diseases Dangerous to Public Health*.

310.020: Definitions

The following terms hereinafter used are defined as follows:

To transport shall mean to convey or remove a dead human body from the place of death.

To ship shall mean to convey a dead human body by train, boat or airplane.

Diseases dangerous to the public health are those which have been so declared by the Department (reportable diseases).

Deaths due to diseases dangerous to the public health for the purposes of 105 CMR 310.000 shall be interpreted as those of persons dying during the stage of the disease when it can be communicated to other persons.

310.100: Embalming and Disinfecting

No bodies dead of any disease dangerous to the public health may be transported or shipped, except as provided by 105 CMR 310.200(A) and (B), without having been prepared for burial by thorough embalming and disinfecting.

310.200: Mercury Bichloride Saturation

(A) Bodies dead of diseases dangerous to the public health but without dangerous surface lesions may be transported to the morgue of a funeral director without arterial and cavity embalming provided that such bodies have been prepared before transportation by thorough surface washing and disinfecting and by stopping and disinfecting of orifices and by enveloping in a sheet saturated with 1:500 bichloride of mercury and securely pinning the same. Before removal from such morgue the body must be thoroughly embalmed and disinfected.

310.200: continued

(B) Bodies dead of any disease dangerous to the public health may be transported directly to the place of burial within 24 hours of death, or within a reasonable period of time after death if the body is kept under adequate refrigeration in a place especially provided for such purpose, without arterial and cavity embalming, provided such bodies are prepared before transportation by disinfecting and by the stopping of orifices and by enveloping in a sheet saturated with 1:500 bichloride of mercury and securely pinning the same. Such unembalmed bodies are to be placed in sealed caskets or cases not to be reopened, and may be shown only under sealed glass panels. If such unembalmed bodies are to be shipped, they must be placed in hermetically sealed cases.

310.300: Disinfection of Articles Accompanying Bodies

Bodies dead of any disease dangerous to the public health shall not be accompanied by articles which have been exposed to the infection of the disease, unless such articles have been properly disinfected.

310.400: Disinterment Prohibited

No disinterment of the bodies of any persons who have died of any disease dangerous to the public health shall be allowed within six months from date of death, except by special permission of the representative of the local board of health.

310.500: Funerals Restricted to Immediate Household, Clergy, Undertakers

Funerals of those dead of anterior poliomyelitis, Asiatic cholera, diphtheria, infectious encephalitis, leprosy, meningococcus meningitis, plague, psittacosis, scarlet fever, smallpox, streptococcus sore throat or typhus fever, when conducted on the premises where such deceased persons died, shall be attended only by members of the immediate household, clergymen, undertaker and undertaker's assistants; when held from a place other than where such persons died, the representative of the local board of health may permit a public funeral if the bodies, in his opinion, have been prepared or enclosed according to 105 CMR 310.000 and provided such persons as are probable carriers of the infection, by reason of contact, shall be forbidden to attend such funeral.

310.600: Sealed Casket

Bodies dead of anthrax, glanders, leprosy, plague, smallpox or tularemia, which may produce dangerous surface lesions, and if such lesions occur on such bodies, after preparation for transportation as regulated by the department, must be placed before the funeral in a sealed casket, not to be reopened, and the funeral may be either public or private. Such bodies may be shown only within a sealed glass-panel burial case.

REGULATORY AUTHORITY

105 CMR 310.000: M.G.L. c. 111, §§ 3 and 107.