

**RULES
OF
TENNESSEE BOARD OF FUNERAL
DIRECTORS AND EMBALMERS**

**CHAPTER 0660-09
REQUIREMENTS FOR A CREMATORY**

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0660-09-.01 REQUIREMENTS FOR A CREMATORY.

- (1) No person, partnership, firm, association, or corporation shall conduct, maintain, manage, or operate a crematory facility unless a license as a funeral establishment for such facility has been issued by the Board.
- (2) Application for licensure of crematory facility shall be on a form furnished and prescribed by the Board and shall be accompanied by an application fee set by the Board. No license shall be issued unless the crematory facility has been inspected and approved as meeting all requirements as set forth by the Board, the Department of Health, Department of Environment regulation, or any local ordinance regulating the same.
- (3) In the event the urn or other container is insufficient to accommodate all of the cremated remains, the excess will be placed by the crematory operator in a secondary container. This secondary container shall be kept with the urn or other container and handled according to the final disposition instructions set forth by the Authorizing Agent(s).
- (4) No more than one cremated remains may be placed in any container, unless written permission has been received from the personal representative responsible for the remains.
- (5) Cremated remains may not be commingled for storage or disposition. Each individual cremated remains must be kept separate and properly identified on the container, unless otherwise authorized by personal representatives.
- (6) The entire cremated remains shall be returned to the family and/or responsible party.
- (7)
 - (a) All cremations of human remains in this state shall be arranged through the holder of a valid and current funeral-establishment license issued by the Board;
 - (b) All cremations of human remains in this state shall be directly supervised by a licensed funeral director during the cremation process, including, but not limited to, the placement of remains in cremation chamber, repositioning of remains, removal of cremated remains from chamber, processing of cremated remains, and placement of cremated remains in an urn or other container.
- (8) Each crematory shall submit its cremation authorization form to the Board for approval, prior to using said form. Every funeral establishment shall use the cremation authorization form approved by the Board and provided by the crematory where the human remains are to be cremated.
- (9) Acceptance of a license issued by the Board gives a Board representative the right to inspect the crematory and the records of the crematory at any time.

(Rule 0660-09-.01, continued)

- (10) At no time shall any cremation chamber, retort, refrigerator, urn, container, tool, or implement be used to prepare or store both dead human bodies and dead non-human bodies. Each cremation chamber, refrigerator, urn, container, tool, or implement shall be utilized exclusively for either dead human bodies or dead non-human bodies.
- (11) At no time shall any cremation chamber or retort designed or manufactured for cremation of dead human bodies be utilized for any other purpose.
- (12) All cremation chambers, retorts, refrigerators, and containers shall be labeled to designate usage for the preparation or storage of either dead human bodies or dead non-human bodies if the establishment offers such services for dead non-human bodies.
- (13) Any funeral director, embalmer, or crematory operator who obtains specific instructions or authorization, as required in T.C.A. § 62-5-507(f), to remove any prosthetic devices, pacemakers, implants, metal hinges, latches, nails, screws, staples, plates, or any other artificial device or structure from a dead human body prior to the cremation or from the cremated remains after cremation shall dispose of the prosthetic devices, pacemakers, implants, metal hinges, latches, nails, screws, staples, plates, or other artificial devices or structures in a lawful non-recoverable manner, so that only human bone fragments remain. While the funeral director, embalmer, or crematory operator may receive compensation from a recycling company for retrieving these materials and shipping them to the recycling company, the funeral director, embalmer, or crematory operator shall not receive a fee for doing so that exceeds the actual cost to the crematory facility for performing or assisting in the removal and shipping costs of those materials.

Authority: T.C.A. §§ 62-5-101, 62-5-203, 62-5-303, 62-5-304, 62-5-309, 62-5-507, and 62-5-508.

Administrative History: Original rule filed August 30, 1991; effective October 14, 1991. Amendment filed June 2, 2014; effective August 31, 2014. Amendments filed December 12, 2018; effective March 12, 2019.