

TITLE 19: DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 20: Division of Community and Public Health
Chapter 24: [Dead Bodies Infected with a Communicable Disease] HANDLING OF DEAD BODIES

PROPOSED RULE

19 CSR 20-24.020 Handling and Transportation of Dead Bodies by Common Carrier

PURPOSE: This rule establishes criteria for the handling of a dead body and for transportation of a dead body by common carrier.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Definitions. The following definitions shall apply in the interpretation and application of this rule and shall have the meaning stated below.

(A) "Communicable disease subject to enhanced precautions" shall mean, for the purposes of this chapter, the following diseases:

1. Viral hemorrhagic fevers (e.g., Viral hemorrhagic fever diseases: Ebola, Marburg, Lassa, Lujo, new world Arenavirus (Chapare, Guanarito, Machupo, Junin, and Sabia viruses), or Crimean-Congo;

(B) "Common carrier", shall mean any person which holds itself out to the general public to engage in the transportation by motor vehicle of passengers or property for hire or compensation.

(C) "Dead body" shall mean a human body or such parts of such human body from the condition of which it reasonably may be concluded that death recently occurred. This shall not include a human body or such parts thereof that have already been fully cremated.

(D) "Rigid leak-proof container" shall mean a container that is puncture-resistant and sealed in such a manner as to contain all contents and prevent the leakage of fluids during handling, storage, transportation, or shipping, and that meets one of the following criteria:

1. A double-layered plastic, leak-proof, puncture-resistant body bag (i.e., two sealed body bags, one inside the other) encased in a rigid outer packaging adequate to withstand hazards associated with the methods of transportation used;
2. A casket with an interior lining certified by the manufacturer to be leak-proof and puncture-resistant;
3. A sealed, leak-proof, metal body-transfer case; or
4. Packaging meeting the requirements of 49 CFR 173.196(a), Category A infectious substances packaging, revised 2013, which is incorporated by reference as published by the Office of the Federal Register, National Archives and Records Administration and are available on the web at <https://www.ecfr.gov/> or by contacting the Office of

the Secretary of Transportation 1200 New Jersey Avenue, SE, Washington, DC 20590. This rule does not incorporate any subsequent amendments or additions.

- (2) Any person handling dead bodies shall, at all times, undertake and be responsible for appropriate precautionary measures to prevent the spread of diseases from the dead body. Personal protective equipment shall be worn in accordance with the Occupational Safety and Health Administration standard of 29 CFR 1910.1030, revised 2019, which is incorporated by reference as published by the Office of the Federal Register, National Archives and Records Administration and are available on the web at <https://www.ecfr.gov/> or by contacting the Office of the Secretary of Transportation 1200 New Jersey Avenue, SE, Washington, DC 20590. This rule does not incorporate any subsequent amendments or additions.
- (3) In the case of handling of a dead body of a person known or suspected to be infected at the time of death with a communicable disease subject to enhanced precautions or an unusual, novel, and/or emerging communicable disease for which the dead body continues to pose a substantial risk to public health pursuant to 19 CSR 20-20.020(1)(B) or (1)(C), all such handling shall be done under the specific guidance of the director of the Department of Health and Senior Services or the director's designee, pursuant to section 192.020, RSMo, and 19 CSR 20-20.040.
- (4) Transportation of a dead bodies by common carrier. Transportation of a dead body by common carrier in Missouri shall be allowed only under the following conditions:
 - (A) The dead body must be fully contained within a rigid leak-proof container that is packaged and shipped in accordance with all applicable legal requirements.
 - (B) The transportation shall be in a manner that is respectful of the dead, of surviving relatives, and of the community.
 - (C) The rigid leak-proof container must be conspicuously labeled on the outer packaging with the following:
 - 1. The legal name of the deceased;
 - 2. The destination of the dead body;
 - 3. The time and place of death; 4
 - 4. The cause of death;
 - 5. The name and contact information of the attending physician primarily responsible for the deceased, or the name and contact information of the coroner; and
 - 6. The name and contact information of the funeral director, if any, responsible for general control of the transportation of the dead body.
 - (D) In addition to other requirements set forth in this rule, if the dead body was known or suspected to be infected at the time of death with a communicable disease subject to enhanced precautions or an unusual, novel, and/or emerging communicable disease for which the dead body continues to pose a substantial risk to public health pursuant to 19 CSR 20-20.020(1)(B) or (1)(C), such dead body shall be:
 - (1) shipped in accordance with 49 CFR 173.196, revised 2013, which is incorporated by reference as published by the Office of the Federal Register, National Archives and Records Administration and are available on the web at <https://www.ecfr.gov/> or by contacting the Office of the Secretary of Transportation 1200 New Jersey Avenue, SE, Washington, DC 20590. This rule does not incorporate any subsequent amendments or additions.; and

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- (2) be accompanied by a death certificate or, if the death certificate is incomplete or missing, a certification statement confirming which immediately reportable communicable disease that the dead body is known or reasonably expected to have been infected at the time of death.

AUTHORITY: sections 192.020 and 194.010, RSMo. Original rule filed [DATE].

PUBLIC COST: This proposed rule will not cost any state agency or political subdivision more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities an estimated one-hundred and eleven thousand, three hundred and nine dollars and twelve cents (\$111,309.12) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Department of Health and Senior Services, Division of Community and Public Health, Jonathan Garoutte, Assistant Deputy Division Director, PO Box 570, Jefferson City, MO 65102-0570; or via email to Jonathan.Garoutte@health.mo.gov; or via facsimile to 573-526-5348 To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*