



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature  
First Regular Session

House: GOV DPA 6-1-0-0

## **HB 2065: counties; indigent deceased persons; cremation**

**Sponsor: Representative Gress, LD 4**

**House Engrossed**

### **Overview**

Expands the services a medical examiner or an alternate medical examiner can provide to an indigent person's remains, clarifies the application process for counties applying for a crematory license and expands who can supervise autopsies done for training purposes.

### **History**

A *medical examiner* is a forensic pathologist who performs or directs the conduct of death investigations. *Alternate medical examiners* are physicians who are trained and competent in the principles of death investigation and perform or direct the conduct of death investigations ([A.R.S. § 11-591](#)).

After a death investigation is completed by the county medical examiner or alternate medical examiner and no one takes charge of the body, it must be delivered to a funeral establishment closest to where the body was pronounced dead for preservation, disinfection and final disposition. Upon written request a funeral establishment can be removed from participation in the receipt of medical examiner cases. If the estate of the deceased cannot pay the necessary burial expenses, the expenses must be charged against the county. If the deceased is determined to be indigent, the funeral establishment must perform the normal county burial procedures for the indigent person or release them without fee to the county for burial at the county designated funeral establishment for indigent burials ([A.R.S. § 11-600](#)).

Arizona statute has created several license types for working in the funeral industry. Without an appropriate license, a person cannot advertise or engage in funeral directing, cremation, alkaline hydrolysis or embalming. Requirements to become a licensed crematory include an application submitted under oath containing incorporation and organizational business documents, fingerprints and criminal history reports of those involved in the crematory and an inspection of the facilities by the Department of Health Services to determine compliance with current statutes ([A.R.S. § 32-1321](#), [A.R.S. § 32-1395](#)).

### **Provisions**

1. Authorizes a licensed physician trained in forensic pathology to supervise medical students, residents and fellows in pathology training and the performance of autopsies, provided the county medical examiner or alternate medical examiner approves. (Sec. 1)
2. Allows the county medical examiner or alternate medical examiner to retain, supervise, preserve, disinfect and perform the final disposition of a deceased indigent person at a licensed crematory that is owned and operated by the county. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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3. Requires the cremation of a deceased indigent person be performed by a licensed and responsible cremationist. (Sec. 2)
4. Stipulates if the county medical examiner or alternate medical examiner is responsible for the final disposition of the deceased indigent person, the director of the county health department must designate a different county employee to register the death certificate. (Sec. 2)
5. Requires the designee to be qualified to access vital records systems and not report to the county medical examiner or alternate medical examiner. (Sec. 2)
6. Permits the county medical examiner or alternate medical examiner to direct funeral services for the disposition of a deceased indigent person. (Sec. 3)
7. Requires counties applying for a crematory license to direct the county medical examiner or alternate medical examiner submit the application on the county's behalf. (Sec. 4)
8. Makes technical and conforming changes. (Sec. 2)