

**PROPOSED REGULATION OF THE
NEVADA FUNERAL AND CEMETERY SERVICES BOARD**

LCB FILE NO. R142-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 12/20/2023**

PROPOSED REGULATION OF
THE NEVADA FUNERAL AND CEMETERY SERVICES BOARD

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EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: NRS 451.640, NRS 642.063

A REGULATION relating to decedents; adding provisions relating to natural organic reduction and alkaline hydrolysis; repealing provisions of the code that do not reflect current practices for embalming and burial transit permits; adding provisions to clarify the time records must be retained; and providing other matters properly related thereto.

Section 1. NAC 451.008 is hereby amended to read as follows:

NAC 451.008 “Cremation of human remains” interpreted. (NRS 451.640, 452.026, 642.063)

1. For the purposes of [NRS 451.680](#), the Nevada Funeral and Cemetery Services Board interprets the phrase “cremation of human remains” to include:

(a) The container, unless incinerating, *dissolving, or reducing* the container is prohibited pursuant to [~~subsection 3 of~~] [NRS 451.670](#);

(b) The personal effects of the deceased person; and

(c) A negligible amount of chlorinated plastic which may be attached to or accompanying the human remains.

2. As used in this section:

(a) “Container” has the meaning ascribed to it in [NRS 451.615](#); and

(b) “Human remains” has the meaning ascribed to it in [NRS 451.620](#).

Section 2. NAC 451.00 is hereby amended to read as follows:

NAC 451.009 “Physically operating the crematory equipment” interpreted. (NRS 451.640, 452.026, 642.063) For the purposes of [NRS 451.635](#), the Nevada Funeral and Cemetery Services Board interprets the phrase “physically operating the crematory equipment” to mean:

1. Starting the crematory equipment;
2. Loading the chamber *or vessel*;
3. Sweeping the chamber *or removing remains from the vessel*; and
4. Processing human remains, including the initial placement of the human remains into temporary urns.

Section 3. NAC 451.010 is hereby amended to read as follows:

NAC 451.010 Embalming. ([NRS 439.200](#))

~~[1.—At the direction of a physician, licensed to practice medicine in Nevada, who was last in attendance on a person known or suspected to have died of a communicable disease, or of any coroner or health officer who has knowledge or suspects that a person has died of a communicable disease in his or her jurisdiction, the funeral director shall embalm the dead body as soon as possible.~~

~~—2.]~~ In a case where an autopsy or other medical examination is required, embalming must not be performed until authorized by the physician, coroner or health officer having jurisdiction over the body.

~~—[3.— If a dead body has not been disposed of or otherwise preserved within 18 hours after the time of death, the facility must, in the interest of public health, take such steps as may be reasonably necessary to preserve the dead body or may store the dead body in a sealed container.]~~

Section 4. NAC 451.100 is hereby amended to read as follows:

NAC 451.100 Transportation by common carrier, agencies or other persons. ([NRS 439.200](#))

1. The bodies of persons who have died from any cause must not be received for transportation by a common carrier or transported by agencies or other persons authorized to carry human bodies unless the body has been ~~[embalmed and]~~ prepared by an embalmer licensed under the laws of Nevada.

2. The bodies of persons who have died from any cause must not be received for transportation by a common carrier unless the body is placed in a sound casket and enclosed in a transportation case adequate to prevent the seepage of fluids and the escape of offensive odors.

Section 5. NAC 451.130 is hereby amended to read as follows:

NAC 451.130 Burial-transit permits. ([NRS 439.200](#))

~~—[1.]—~~When bodies are shipped by common carrier or transported by an agency or by any other person authorized to carry human bodies, a burial-transit permit must *accompany the body* ~~[be made out in duplicate~~

~~—2.— One copy of the burial-transit permit must accompany the body. The duplicate copy of the permit must be attached to and accompany the waybill covering the remains,]~~ and be delivered with the body at the point of destination to the person to whom *the body* ~~it~~ is consigned.

Section 6. NAC 451.200 is hereby amended to read as follows:

NAC 451.200 Maintenance of records. ([NRS 451.640](#), [452.026](#), [642.063](#))

1. The records required to be kept pursuant to [NRS 451.665](#) by the operator of a crematory, funeral establishment or direct cremation facility must be maintained for at least 7 years *from the date of final disposition of human remains*.

2. The maintenance of such records in a digital format satisfies the requirements of subsection 1.