

144C.2 Definitions.

As used in this chapter, unless the context otherwise requires:

1. “*Adult*” means a person who is married or who is eighteen years of age or older.
2. “*Adult day services program*” means adult day services program as defined in section 231D.1.
3. “*Assisted living program*” means an assisted living program under chapter 231C.
4. “*Ceremony*” means a formal act or set of formal acts established by custom or authority to commemorate a decedent.
5. “*Child*” means a son or daughter of a person, whether by birth or adoption.
6. “*Decedent*” means a deceased adult.
7. “*Declarant*” means a competent adult who executes a declaration pursuant to this chapter.
8. “*Declaration*” means a written instrument, contained in or attached to a durable power of attorney for health care under chapter 144B, that is executed by a declarant in accordance with the requirements of this chapter, and that names a designee who shall have the sole responsibility and discretion for making decisions concerning the final disposition of the declarant’s remains and the ceremonies planned after the declarant’s death.
9. “*Designee*” means a competent adult designated under a declaration who shall have the sole responsibility and discretion for making decisions concerning the final disposition of the declarant’s remains and the ceremonies planned after the declarant’s death.
10. “*Elder group home*” means elder group home as defined in section 231B.1.
11. “*Final disposition*” means the burial, interment, cremation, removal from the state, or other disposition of remains.
12. “*Health care facility*” means health care facility as defined in section 135C.1.
13. “*Health care provider*” means health care provider as defined in section 144A.2.
14. “*Hospital*” means hospital as defined in section 135B.1.
15. “*Interested person*” means a decedent’s spouse, parent, grandparent, adult child, adult sibling, adult grandchild, or a designee.
16. “*Licensed hospice program*” means a licensed hospice program as defined in section 135J.1.
17. “*Reasonable under the circumstances*” means consideration of what is appropriate in relation to the declarant’s finances, cultural or family customs, and religious or spiritual beliefs. “*Reasonable under the circumstances*” may include but is not limited to consideration of the declarant’s preneed funeral, burial, or cremation plan, and known or reasonably ascertainable creditors of the declarant.
18. “*Remains*” means the body or cremated remains of a decedent.
19. a. “*Third party*” means a person who is requested to dispose of remains by an adult with the right to dispose of a decedent’s remains under section 144C.5 or assist with arrangements for ceremonies planned after the declarant’s death.
- b. “*Third party*” includes but is not limited to a funeral director, funeral establishment, cremation establishment, cemetery, the state medical examiner, or a county medical examiner.

2008 Acts, ch 1051, §7, 22; 2009 Acts, ch 133, §45