

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 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](#); [2017 Acts, ch 30, §2, 4](#)

2017 amendment to subsection 8 applies to declarations executed on or after July 1, 2017; 2017 Acts, ch 30, §4