

645—100.9 (144) Disinterments. A funeral director in charge of a disinterment shall ensure that the disinterment is performed in accordance with rules promulgated by the Iowa department of public health and shall first secure a disinterment permit issued by the Iowa department of public health.

100.9(1) No person shall disinter a human remains or cremated remains unless the funeral director in charge of the disinterment has a numbered disinterment permit which has been issued by the department of public health or by an order of the district court of the county in which the human remains or cremated remains are interred or entombed.

100.9(2) All disinterment permits shall be requested and provided by the department of public health.

100.9(3) All disinterment permits shall be signed by the authorizing person.

100.9(4) Disinterment permits shall be furnished upon request from the department of public health and will remain valid for 30 days after issuance.

100.9(5) Disinterment permits will only be issued to the funeral director, and the disinterment must be done under the direct supervision of the funeral director.

100.9(6) Disinterment permits shall be required for any relocation of a human remains or cremated remains from the original site of interment or entombment.

100.9(7) No disinterment permit is necessary to remove a human remains or cremated remains from a holding facility for interment or entombment in the same cemetery where being temporarily held.

100.9(8) A funeral director may await a court order before proceeding with disinterment if the funeral director is aware of a dispute among:

a. Persons who are members of the same class of persons described in 641—subrule 97.14(4) as having authority to control the human remains; or

b. Persons who are authorized pursuant to 641—subrule 97.14(4) and the executor named in the decedent's will or personal representative appointed by the court.