

## DIRECT BURIAL/CREMATION SUMMARY

- There should be no direct cremation of COVID-19 or non-COVID-19 human remains unless such cremations are explicitly authorized by those parties with the right to direct final disposition under La. R.S. 8:655 or pursuant to coroner authority.
  - Risks to the State, locals, private parties include damages and civil rights claims if cremations are made mandatory or authorized above the wishes of the parties with the authority of the right to direct disposition under La. R.S. 8:655.
- New York, Washington, and California are NOT mandating direct burial or cremation.
- Most families have been willing to forego formal funerals under the circumstances with memorialization to occur later.
- Those authorized to direct disposition under La. R.S. 8:655 must be consulted before any disposition decisions are made by third parties or government entities.
- Reasonable efforts to contact those parties should be documented if no contact can be made.
- If the deceased is not a pauper and the 655 parties refuse to do non-committal burials (i.e., direct burial), funeral homes, hospitals, and coroners must get approval to bury from a court under La. R.S. 8:655(E).
  - Courts should hear these cases even while under limited operations directives, as they are COVID-related matters.
- If the deceased is a pauper and cannot pay for any type of burial, coroners may authorize disposition under La. R.S. 13:5715(A)(2).
- Caution must be used in all situations where burial is authorized by families (655 parties) or by court order not to reuse existing grave spaces without the consent of those holding rights of interment in a particular grave space.
- There is an extreme need to reinforce limited gathering size messaging. Funerals are still exceeding limits.
- Possible solutions:
  - Refrigerated trucks for storage (will not result in remains that can be displayed in open caskets).
  - Order limiting gathering size specific to funerals.