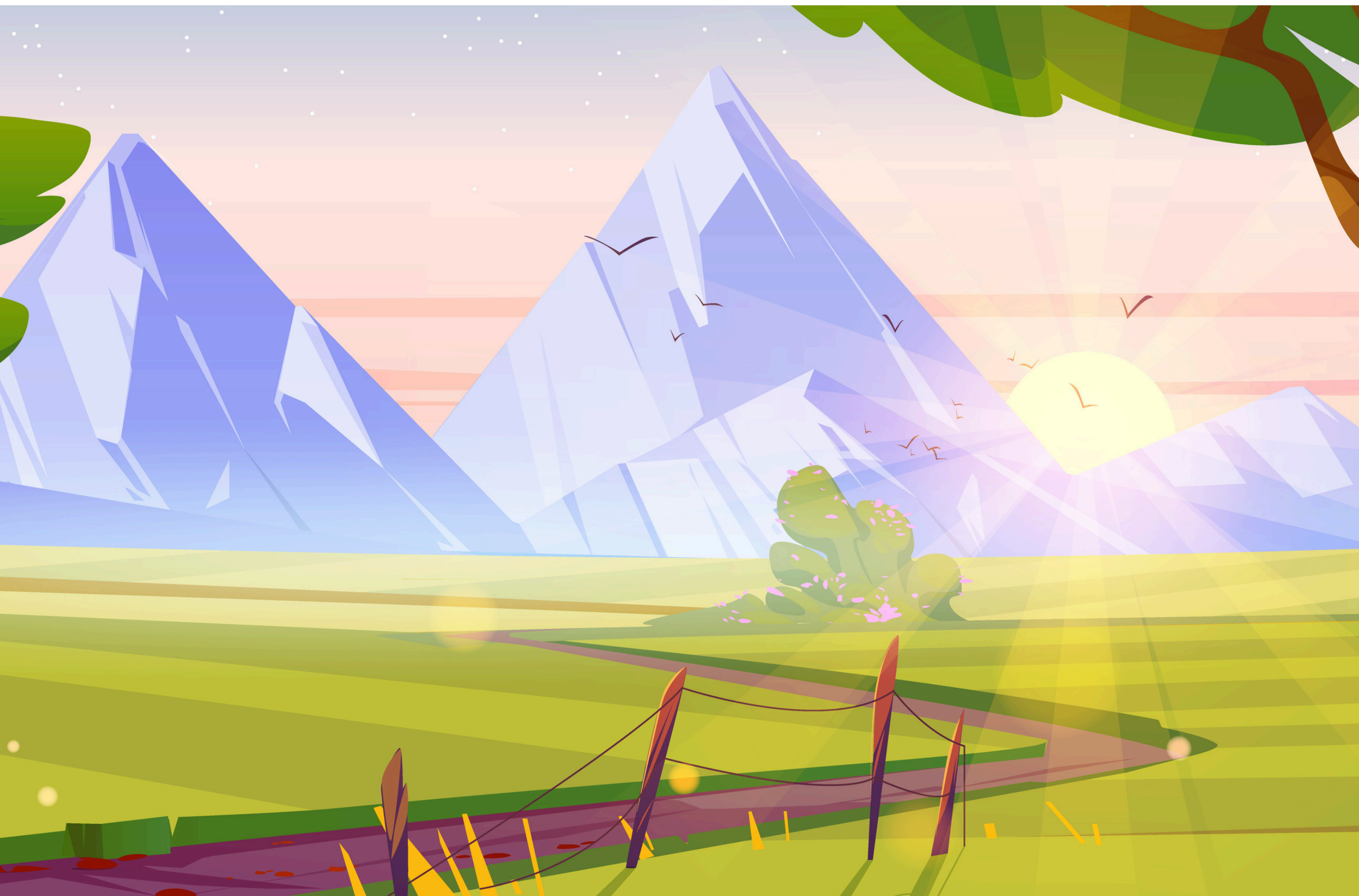




DEATH CARE IN COLORADO

A CONSUMER GUIDE



Losing a loved one can be a difficult and stressful time. This guide is designed to help you understand funeral and mortuary regulations in Colorado.

MAY 2025

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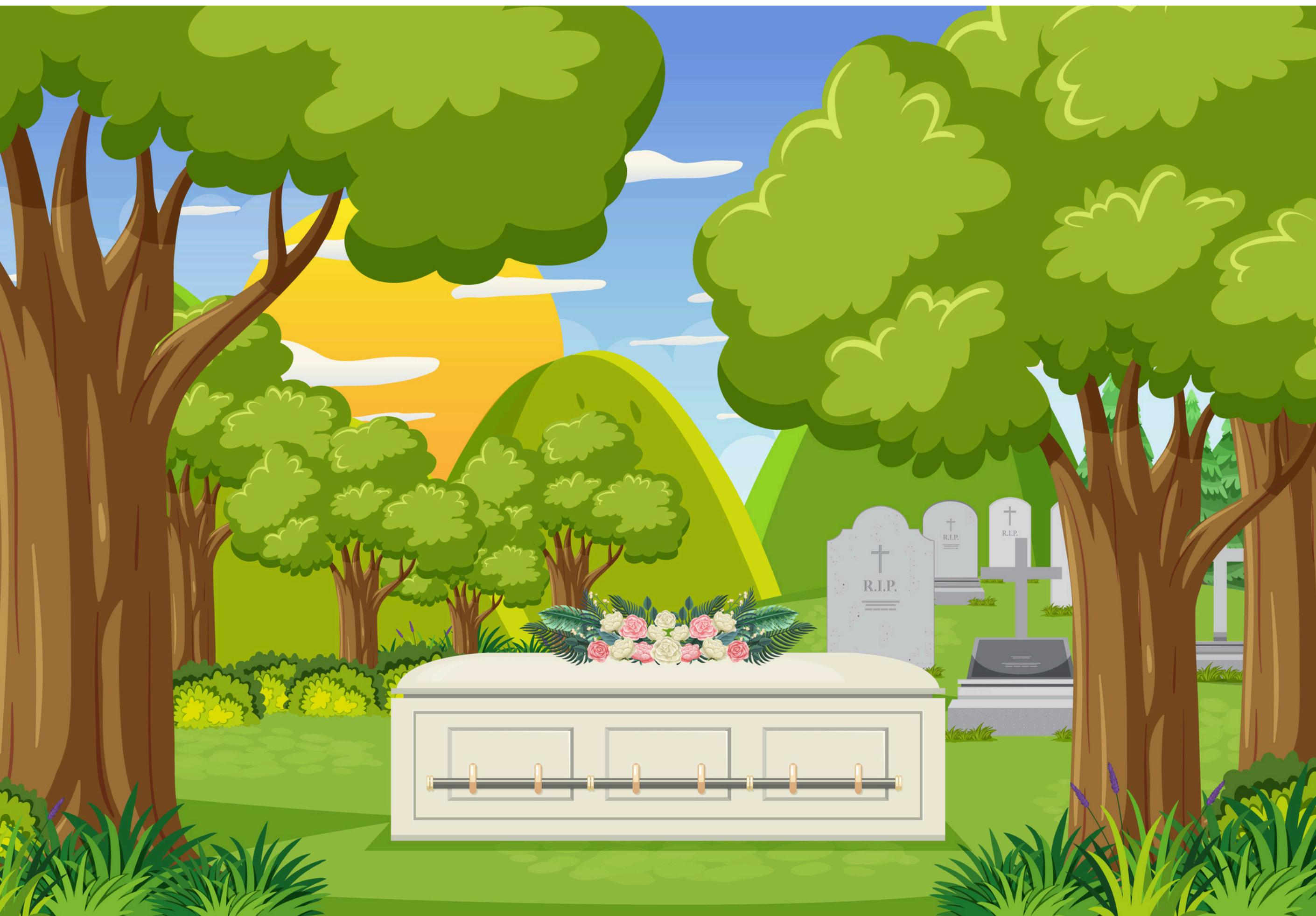
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ABOUT THIS GUIDE

This guide was created to discuss the history of regulation of the death care industry in Colorado and provide guidance on recent changes.

In addition to being a guide for licensees, this guide also serves as a tool for consumers to make informed decisions when working with the death care industry.

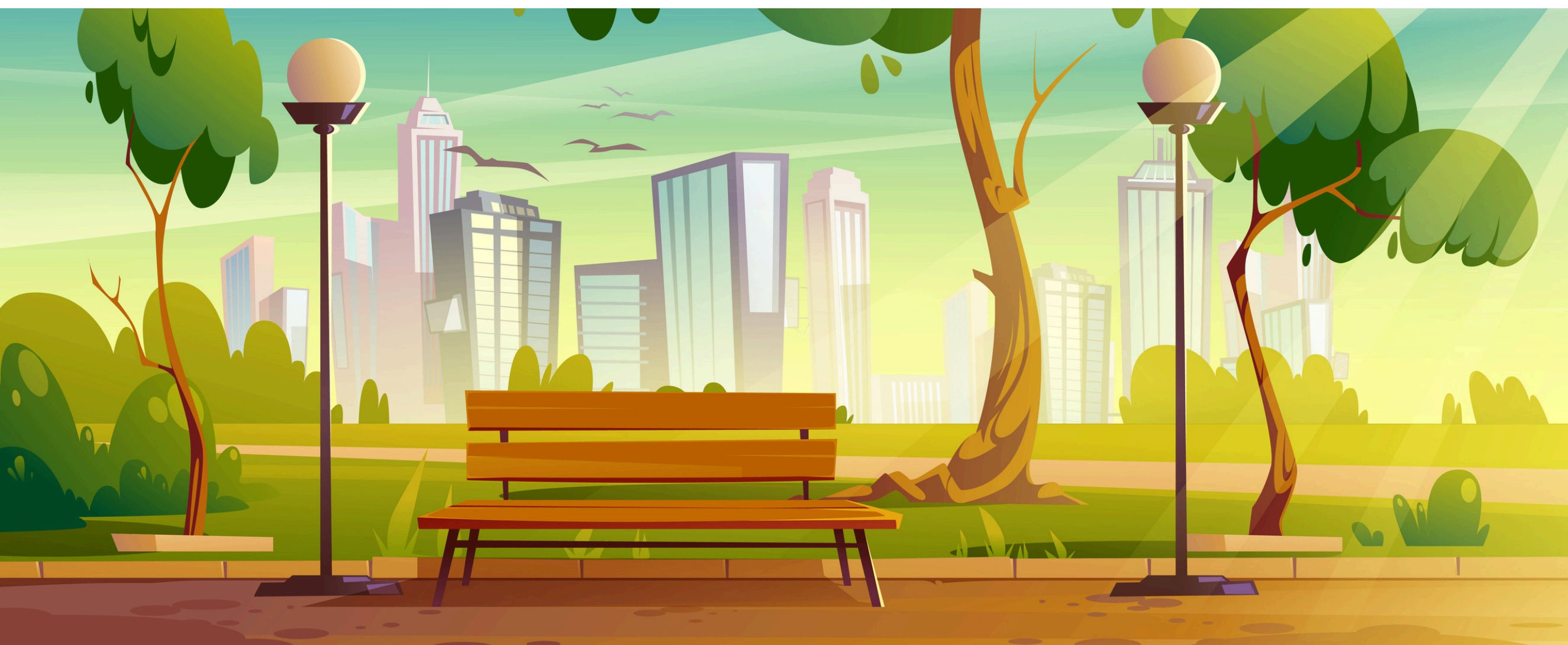
Visit dpo.colorado.gov/FuneralCrematory to learn more.



DIVISION OF PROFESSIONS AND OCCUPATIONS

The Colorado Division of Professions and Occupations provides consumer protection through its regulation of more than 500,000 licensees within more than 50 professions, occupations and businesses in the State of Colorado.

Within the Division, the Office of Funeral and Mortuary Science Services regulates funeral homes, crematories, and mortuary science occupations in Colorado. All funeral homes and crematories are required to be registered with the office. Mortuary Science Practitioners, Funeral Directors, Embalmers, Cremationists, and Natural Reductionists are required to be registered with the office no later than January 1, 2027.



Legal Disclaimer

Please note that this guide is provided for general information only. Use of this guide is not intended to act as a substitute for legal advice or as a replacement for the Colorado Mortuary Science Code (C.R.S. 12-135-101 et. seq.). Readers are encouraged to retain qualified and independent legal counsel to answer any legal questions or address any legal issues. Where there is any discrepancy, current statute, rule and policy will take precedence.

Licensing and Registration Fees

License and registration fees for funeral homes and crematories and mortuary science occupations are calculated based on the cost of providing licensing and disciplinary services and providing consumer protection information to the public.

For more information on the Division of Professions and Occupations, please visit dpo.colorado.gov.

REGULATORY HISTORY

Concerns about the potential danger to public health from improperly embalmed or preserved bodies led to the formation of the Colorado State Board of Embalming Examiners. At that time there was fear that infectious diseases could be transmitted by improper embalming practices performed by unqualified people.

1913

1939

The name of the Colorado State Board of Embalming Examiners changed to the Board of Funeral Directors and Embalmers.

The name of the Board of Funeral Directors and Embalmers changed to the Board of Mortuary Science.

1967

1968

Under the Administrative Organization Act of 1968, the Board was transferred to the Department of Regulatory Agencies (DORA) as a Type 1 board in which regulatory power and rulemaking authority are vested in the Board.

A sunset review, performed by DORA, and a performance audit, performed by the Colorado State Auditor, recommended elimination of the Board.

1977

1983

The General Assembly terminated the Board and licensure of funeral directors. Portions of what was the practice act were continued as the Mortuary Science Code. Individuals no longer licensed.

DORA performed three sunrise reviews of funeral service practitioners -1990, 2002 and 2007 - following the 1983 sunset. All of the sunrise reviews recommended against the regulation of individuals but continuing the Code. However, the '07 sunrise review did recommend that a person be designated as a responsible person for each facility.

2007

2009

The General Assembly adopted a registration requirement for funeral establishments and crematories, and title protection for mortuary science practitioners, funeral directors, embalmers and cremationists.

REGULATORY HISTORY

Senate Bill 15-110 created the framework for establishing a chain of custody for human remains and continued the regulation of funeral homes and crematories, and the title protection provisions, until 2024.

2015

2018

Senate Bill 21-006 amended the Code to allow for natural reduction of human remains. The General Assembly also passed House Bill 1108, which added gender identity and gender expression to the list of protected classes against whom it is unlawful to discriminate in the provision of funeral services.

Senate Bill 18-234 introduced the regulation of nontransplant tissue banks in Colorado. The bill was passed as a direct result of a case involving a regulated funeral establishment and crematory on the Western Slope selling human remains without permission and returning containers of non-human remains to families. In most instances, these families never learned what ultimately happened to the remains of their loved ones.

2021

2022

The 2021 sunset review of preneed funeral contracts resulted in House Bill 22- 1228. In 2022, SB-1073 granted the Director the authority to conduct unannounced inspections of registered funeral homes and crematories.



LEGISLATIVE SESSION

CHANGE IN 2024

In June 2023, the Colorado Office of Policy, Research & Regulatory Reform (COPRRR) received a sunrise application seeking the regulation of funeral service professionals, including mortuary science practitioners, funeral directors, cremationists, embalmers, and natural reductionists.

This coincided with the previously scheduled review of the regulation of funeral homes and crematories.

COPRRR's recommendations through the sunrise and sunset processes, along with extensive stakeholder outreach with the death care industry and families affected by bad actors, led to two bills: Senate Bill 24-173 - Regulate Mortuary Science Occupations and House Bill 24-1335 - Sunset Continue Mortuary Science Code Regulation.

These bills were signed into law by Governor Jared Polis on May 24, 2024.



SENATE BILL 24-173

REGULATE MORTUARY
SCIENCE OCCUPATIONS

QUALIFICATIONS FOR LICENSURE

Each license type has particular qualifications that must be met to obtain the license.

Description of Qualification	License Type				
	Mortuary Science Practitioner	Funeral Director	Embalmer	Cremationist	Natural Reductionist
Pass a background check and not have a disqualifying criminal record	✓	✓	✓	✓	✓
Have graduated from an accredited mortuary science school *	✓	✓	✓		
Have successfully passed the arts section of the National Board Examination administered by the International Conference of Funeral Service Examining Boards or another organization approved by the director	✓	✓			
Have successfully passed the science section of the National Board Examination administered by the International Conference of Funeral Service Examining Boards or another organization approved by the director	✓		✓		
Have received workplace learning experience of one year or longer	✓	✓	✓		
Have received official certification as a crematory operator from the Cremation Association of North America, the International Cemetery, Cremation and Funeral Association, the National Funeral Directors Association, or another organization approved by the director				✓	
Have received official certification as a Natural Reductionist from the Cremation Association of North America, the International Cemetery, Cremation and Funeral Association, the National Funeral Directors Association, or another organization approved by the director					✓

*Applicants who have not graduated from an accredited mortuary science school may apply for a waiver to take the required exam(s).



SENATE BILL 24-173

REGULATE MORTUARY SCIENCE OCCUPATIONS

QUALIFICATIONS FOR PROVISIONAL LICENSURE

A provisional licensure pathway was established for applicants who are currently working in the industry and who may not have attended mortuary science school. These applicants have valuable experience that they are able to demonstrate by completing provisional requirements prior to being eligible for full licensure. Provisional licenses must be applied for before January 1, 2027, and all licensure requirements must be completed before January 1, 2031.

Description of Qualification	Service Provider				
	Mortuary Science Practitioner	Funeral Director	Embalmer	Cremationist	Natural Reductionist
Pass a background check and not have a disqualifying criminal record	✓	✓	✓	✓	✓
Have a workplace learning experience of at least one year	✓	✓	✓	✓	✓
Have 4,000 hours of equivalent experience prior to January 1, 2027	✓	✓	✓	✓	✓
Have their work signed off on by a qualified peer reviewer who recommends them for licensure *	✓	✓	✓	✓	✓
Demonstrate that they have directed at least 25 funerals *	✓	✓			
Demonstrate that they have performed at least 25 embalmings *	✓		✓		

* As an alternative to these requirements, an applicant for a mortuary science practitioner, funeral director or embalmer provisional license may also apply for a waiver and pass the required exam(s)



How Can I Be Involved?

The next step in the process is rulemaking. A rule clarifies statute. It has the effect of law. When it comes to the Office of Mortuary and Funeral Services within the Division of Professions and Occupations, rules are promulgated, or made, by the Director.

Some examples of rules are: A determination of how to apply (for example, a qualifying examination), drilling down on continuing education requirements, defining the specific type of training needed for licensure, specifying the information needed to report when a crime is committed by a licensee, updating contact information, and more.

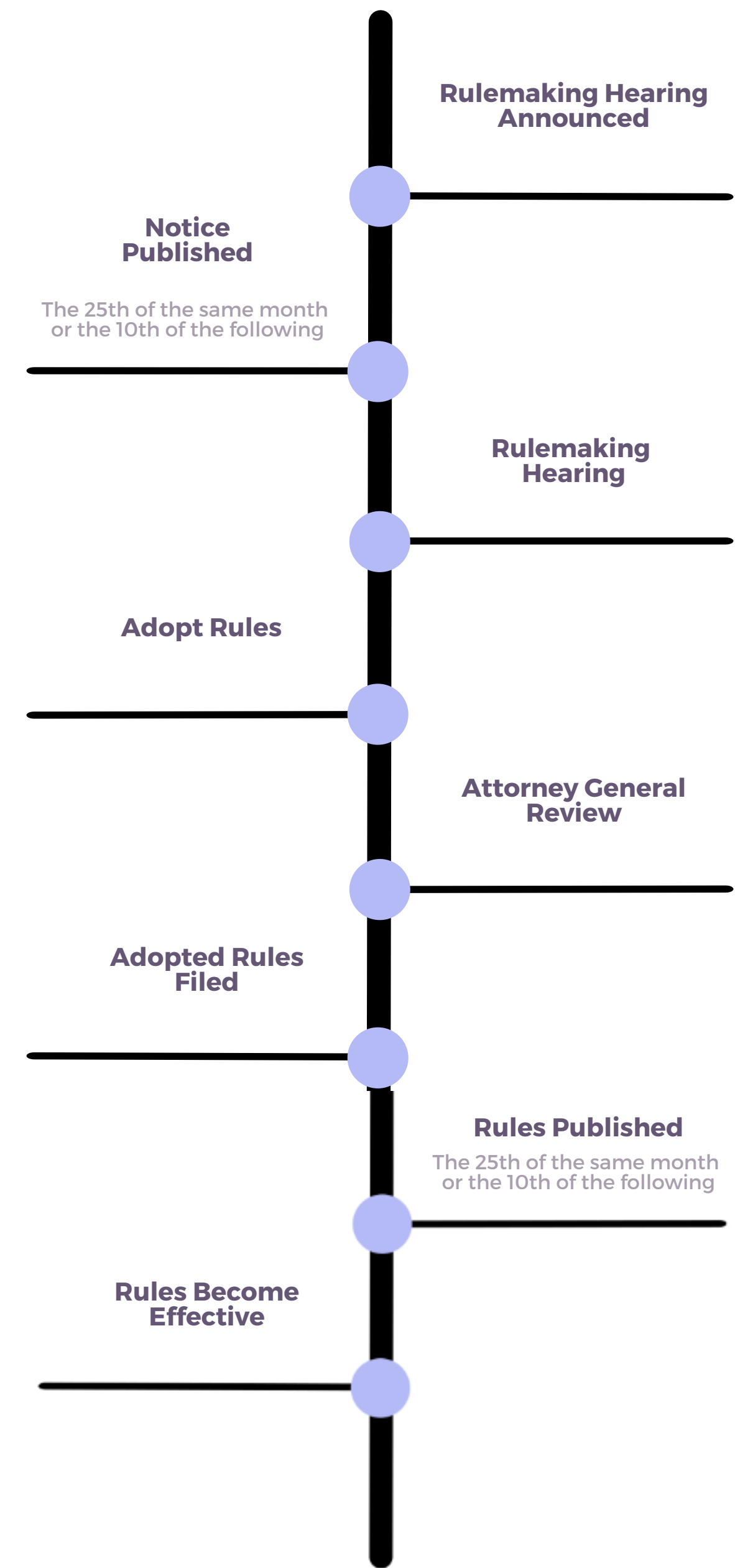
Every rule has a stakeholder process governed by the Administrative Procedures Act (Section 24-4-101, Colorado Revised Statutes).

Members of the public may sign up for stakeholder notifications on the [Division of Professions and Occupations website](#).

On this form, you may choose the profession(s) that you are interested in. You will receive an email notification each time the Division seeks stakeholder engagement on a proposed rule.

Stakeholder engagement can take multiple forms. Some of these may include accepting written comments, having stakeholder meetings, having public comment during rulemaking hearings and more.

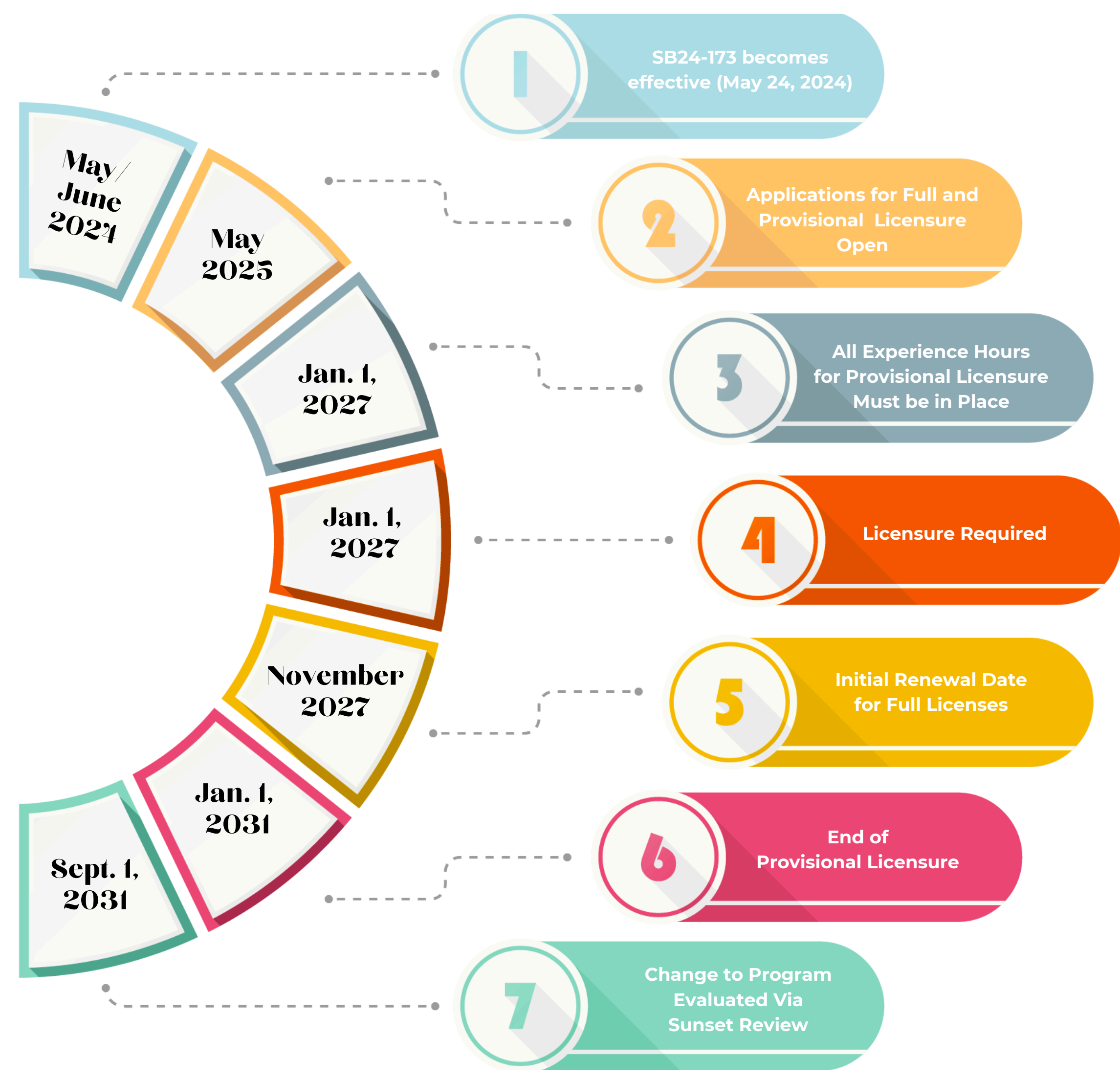
As it relates to these occupations, each rule will have a stakeholder meeting where public comment is taken, a rulemaking hearing where public comment is taken and an opportunity to provide written comments for the Director’s consideration.



Targeted Licensure Timeline

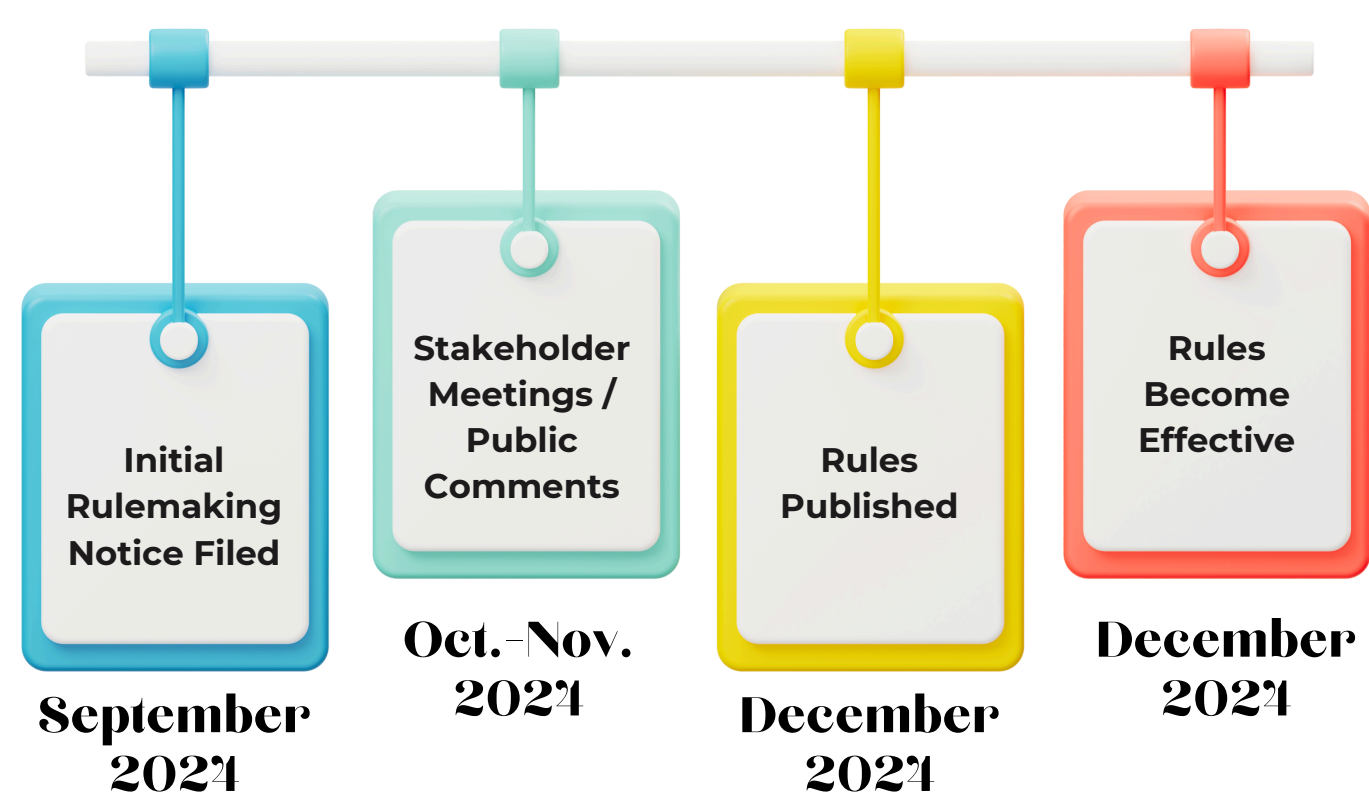
Dates to Know

***SUBJECT TO CHANGE



Targeted Rulemaking Timeline

As part of implementation, the Division will conduct rulemaking to clarify the law.



Rulemaking will involve extensive stakeholder engagement. The public will have the opportunity to submit written comments or to attend stakeholder meetings and provide verbal comments. To be sure you receive rulemaking updates, sign up at dpo.colorado.gov.

HOUSE BILL 24-1335

SUNSET CONTINUE MORTUARY SCIENCE CODE REGULATION

HB24-1335 continues regulation of funeral homes and crematories until September 1, 2029 and makes changes to the requirements for these facilities.

INSPECTIONS

The Director of the Division of Professions and Occupations must inspect all funeral homes and crematories on three occasions:

- On a routine, periodic basis as determined by rule.
- For a period of time, to be determined in rule, after a funeral home or crematory's registration has expired, has been revoked, or has been surrendered.
- Upon application for a new registration.

The Director may also inspect a funeral home or crematory upon a complaint or on the Director's own initiative.

DISCIPLINE

This bill added the ability to discipline a registrant for:

- Failure to respond to a complaint
- Failure to comply with the conditions of discipline
- The actions of a person who is acting on behalf of the registrant (essentially tying the actions of the person to the business)



RULEMAKING AUTHORITY

This bill gave the department the authority to make rules necessary to enact the Mortuary Science Code. The bill specifically mandated that the department promulgate rules on:

- The period of time after a registration is no longer valid during which the director or a private party with whom the director contracts may perform inspections to ensure that the funeral establishment or crematory continues to comply and winds down the business without creating an undue risk to the public health.
- Rules on cryogenic preservation.

HOUSE BILL 24-1335

SUNSET CONTINUE MORTUARY SCIENCE CODE REGULATION

SUBCONTRACTORS

This bill added a requirement that funeral homes or crematories have formal contracts in place with all subcontractors, which must be signed by the funeral home or crematory's designee.

This contract must be made available on request to the consumer or the department.

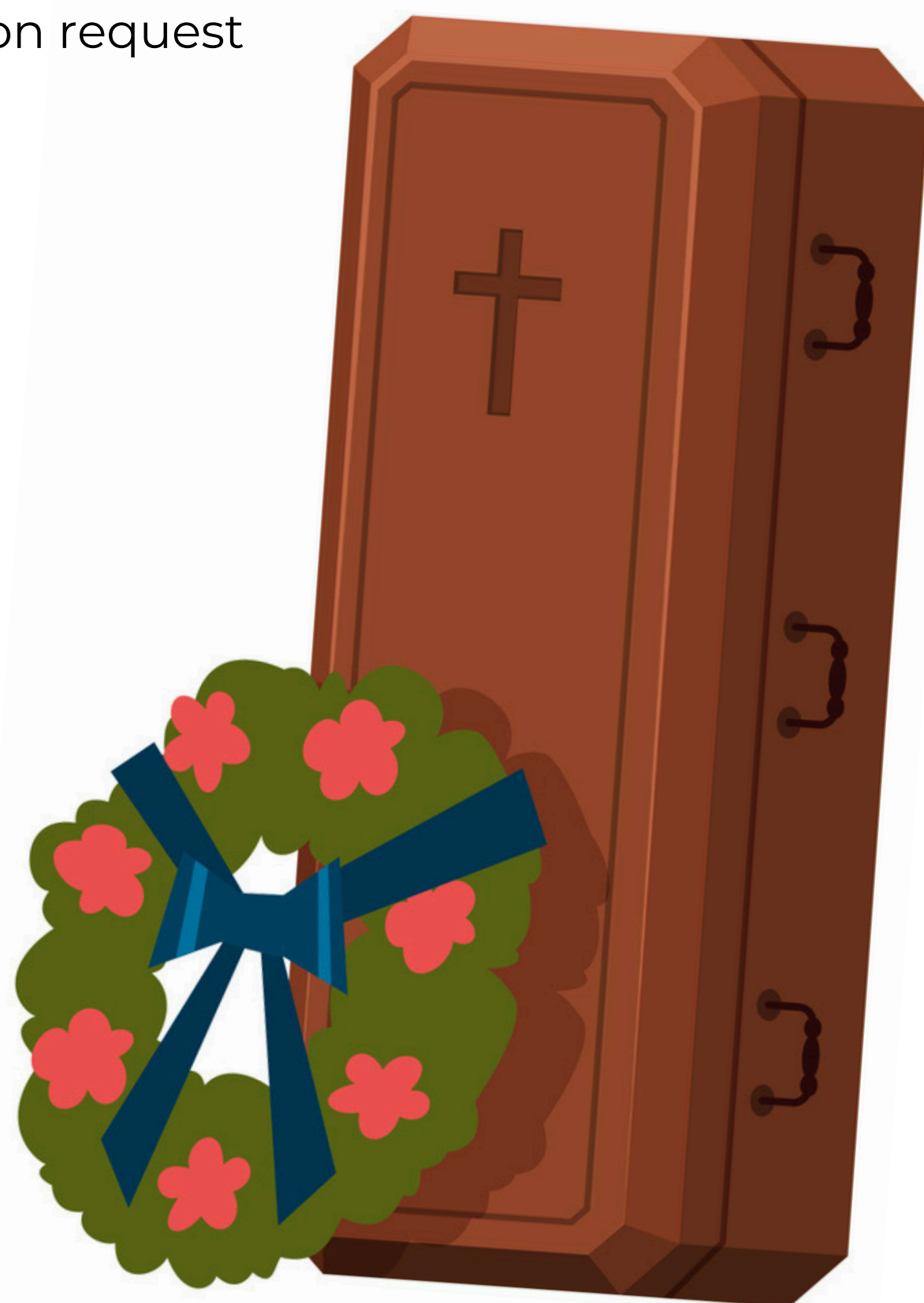
DISCLOSURE

Funeral homes and crematories must have the following disclosure on all contracts for funeral services: "Funeral homes and crematory establishments are regulated by the Department of Regulatory Agencies. To file a complaint, contact (current address or telephone number of the department)."

STANDARDS OF PRACTICE

Sanitation: The bill requires establishments who perform embalming to maintain a sanitary preparation room with flooring, drainage, ventilation, and refrigeration and other equipment necessary to maintain conditions.

Cremation: Any recoverable residue from cremation must be removed so that it does not comeingle with the cremated remains of other individuals and disposed of in a cemetery with a defined area to scatter remains.



Capacity: The bill requires a funeral establishment to have refrigeration capacity for all remains it has custody of for 24 hours or more.

Insurance: All funeral establishments must have liability insurance with a liability limit of at least \$1 million.

INFO TO KNOW

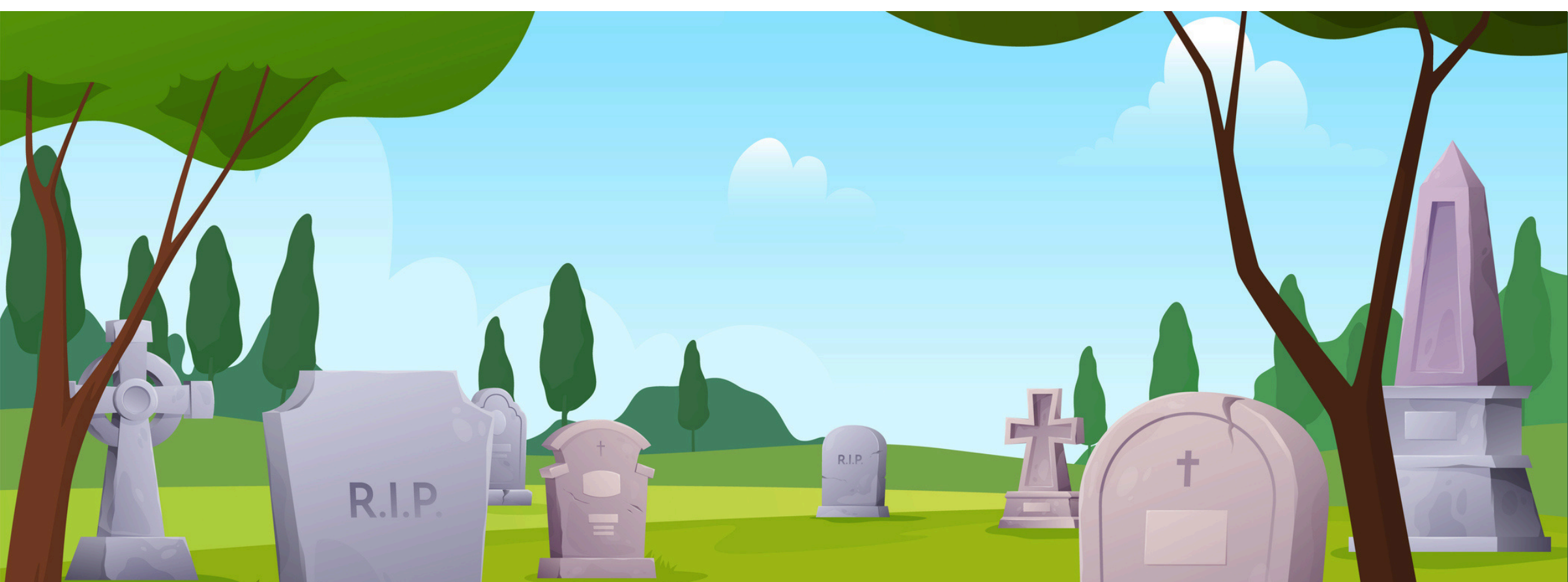
WHAT HAPPENS NEXT

Now that these bills are law, the first step the Division will take is to make rules. The full rulemaking process is outlined above in the “How Can I Be Involved” section. The Division is tentatively planning for rulemaking to be completed by the end of 2024.

Once rules have been established, the Division will develop licensure applications and information. Once this is complete, and once the background check process has been established through the Colorado Bureau of Investigation and the Federal Bureau of Investigation, the Division will begin to accept and approve applications for licensure.

While licensure is not required until January 1, 2027, the Division anticipates issuing licenses much earlier than this - by mid-to-late 2025. This will allow the provisional licensure process to begin.

Provisional licenses must be applied for before January 1, 2027. No provisional licensure applications will be accepted after this date. Once the provisional license deadline passes, everyone looking to become licensed as one of these professions will need to complete the full licensure process.



INFO TO KNOW

FREQUENTLY ASKED QUESTIONS

WHAT SHOULD I DO WHEN SOMEONE DIES?

Detailed information is available in the *Colorado Senior Law Handbook*, published by the Colorado Bar Association, specifically chapter 28. You can access that handbook online at <https://seniorlawhandbook.org>.



WHAT RULES APPLY TO TRANSPORTATION OF DECEASED BODIES?

A funeral establishment that transports human remains is required to:

- Use an appropriate motor vehicle,
- Transport the remains in a safe and sanitary manner, and
- Remove any implanted devices before transporting the body to a crematory after confirming proper identification.

WHAT INFORMATION SHOULD I CONSIDER WHEN HIRING A FUNERAL PROVIDER?

When choosing a Provider:

- Ensure that the funeral home or crematory is registered with the Division of Professions and Occupations. Click “check a license” at dpo.colorado.gov and enter the establishment’s name. You may also ask the establishment for a registration number and search for this number at the website above. When you check a provider’s license or registration, you are able to see any disciplinary action that licensee or registrant may have.
- Consider recommendations from family or friends.
- Talk with more than one Provider at different facilities about their services. Make sure you are confident that they understand and are able to meet your needs.
- Ask the Provider for a price list and written price estimate to assist you when comparing prices and services.

INFO TO KNOW

FREQUENTLY ASKED QUESTIONS

IS A CASKET REQUIRED AND WHAT ARE THE OPTIONS?

Caskets vary in style, and prices may range from a few hundred to several thousand dollars.

You are not required to purchase a casket in Colorado.



You may choose direct cremation with an alternate container, or in some cases, the funeral establishment may offer casket rentals for public viewings. It is unlawful in Colorado to refuse to accept human remains that are not in a casket or to require human remains to be placed in a casket at any time. It is also unlawful to tell a person that a casket is required when the expressed wish is for immediate cremation.

HOW DO I DONATE A BODY OR ORGANS?

The Division does not regulate these donations; however, the State of Colorado has a statutory relationship with Donor Alliance to coordinate organ, eye and tissue donation. You can learn more at www.donoralliance.org.

The Division does regulate donation of body or tissue for nontransplant purposes. You can learn more at dpo.colorado.gov/TissueBank.

You can also check a tissue bank's license at dpo.colorado.gov by clicking "check a license".

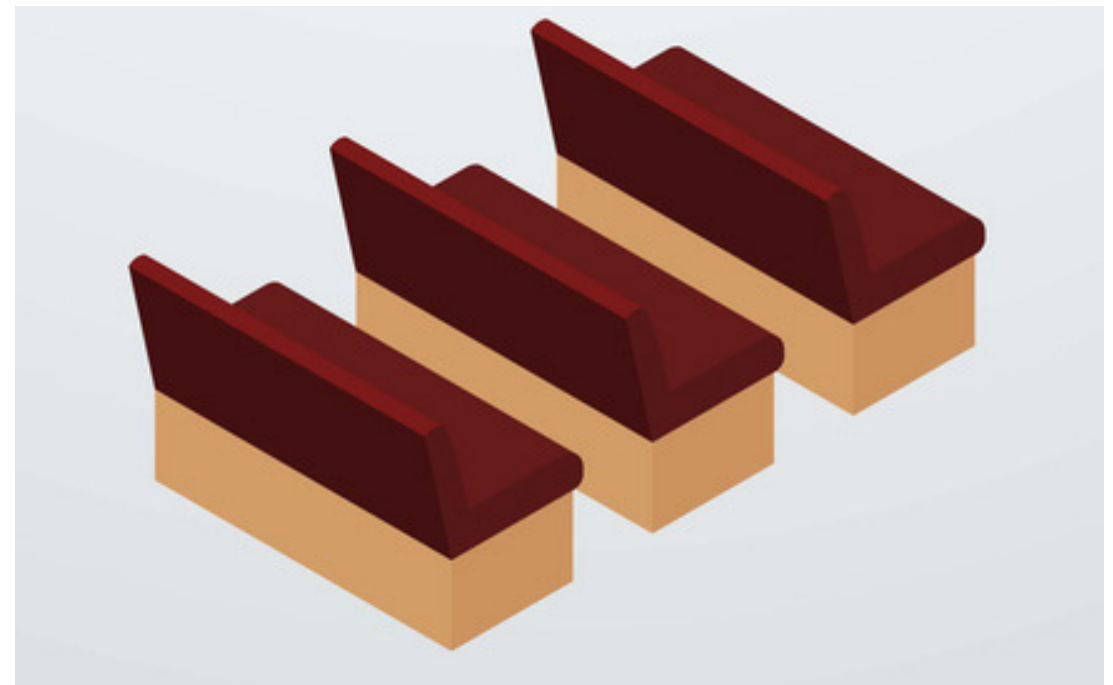


INFO TO KNOW

FREQUENTLY ASKED QUESTIONS

HOW ARE CREMATED REMAINS TRACKED?

Each crematory must provide a receipt to the person delivering remains to the crematory. This receipt must be signed by a crematory representative and the person delivering the remains. The crematory is required to retain this receipt.



A crematory cannot take custody of any remains without an attestation of positive identification.

When the crematory releases the cremated remains, they must provide a receipt to the person the remains are released to and they must retain the receipt on file for at least five years. They must also retain a record of all cremations for at least five years.

Crematories are required to use a tag to identify human remains and cremated remains. The tag must be verified, removed, and placed near the cremation chamber control panel prior to cremation. The tag must remain next to the cremation chamber until the cremation is complete.

Once the cremation is complete, the cremated remains must be placed in a container marked with the decedent's identity and the name of the crematory. An identification tag must be placed with the remains and on the container.

If cremated remains are shipped, the crematory is required to use a method that employs an internal tracking system and obtains a signed receipt from the person accepting delivery. The United States Postal Service is the only domestic carrier that will handle cremated remains. [Visit their website](#) for more information.



Crematories are responsible for the custody of any remains in their care until they are released to the person who has authorization for final disposition or until they make an authorized final disposition.

More information and samples of forms required to be used are available [here](#).

INFO TO KNOW

FREQUENTLY ASKED QUESTIONS

WHAT IS THE DIFFERENCE BETWEEN CREMATION AND NATURAL REDUCTION?

Cremation means the reduction of human remains to essential elements, the processing of the remains, and the placement of the processed remains in a cremated remains container. Cremation includes traditional fire cremation or water cremation (aquamation).

Natural Reduction means the contained, accelerated conversion of human remains to soil.

Both are permitted in Colorado, however cremation must be performed by a mortuary science practitioner or cremationist, while natural reduction must be performed by a mortuary science practitioner or natural reductionist.



WHAT IS EMBALMING AND IS IT REQUIRED?

Embalming is the disinfection and temporary preservation of human remains by chemically treating the body to reduce the presence and growth of organisms, to retard organic decomposition, or to attempt restoration of the physical appearance. While embalming is not required in Colorado, embalming or refrigeration is required if a person has been deceased for more than 24 hours.

INFO TO KNOW

FREQUENTLY
ASKED
QUESTIONS

ARE THERE ANY FINANCIAL ASSISTANCE PROGRAMS?*

If the deceased was on public assistance, burial assistance may be available. Contact your local county Department of Social Services as soon as possible and ask for the Burial Assistance Department.

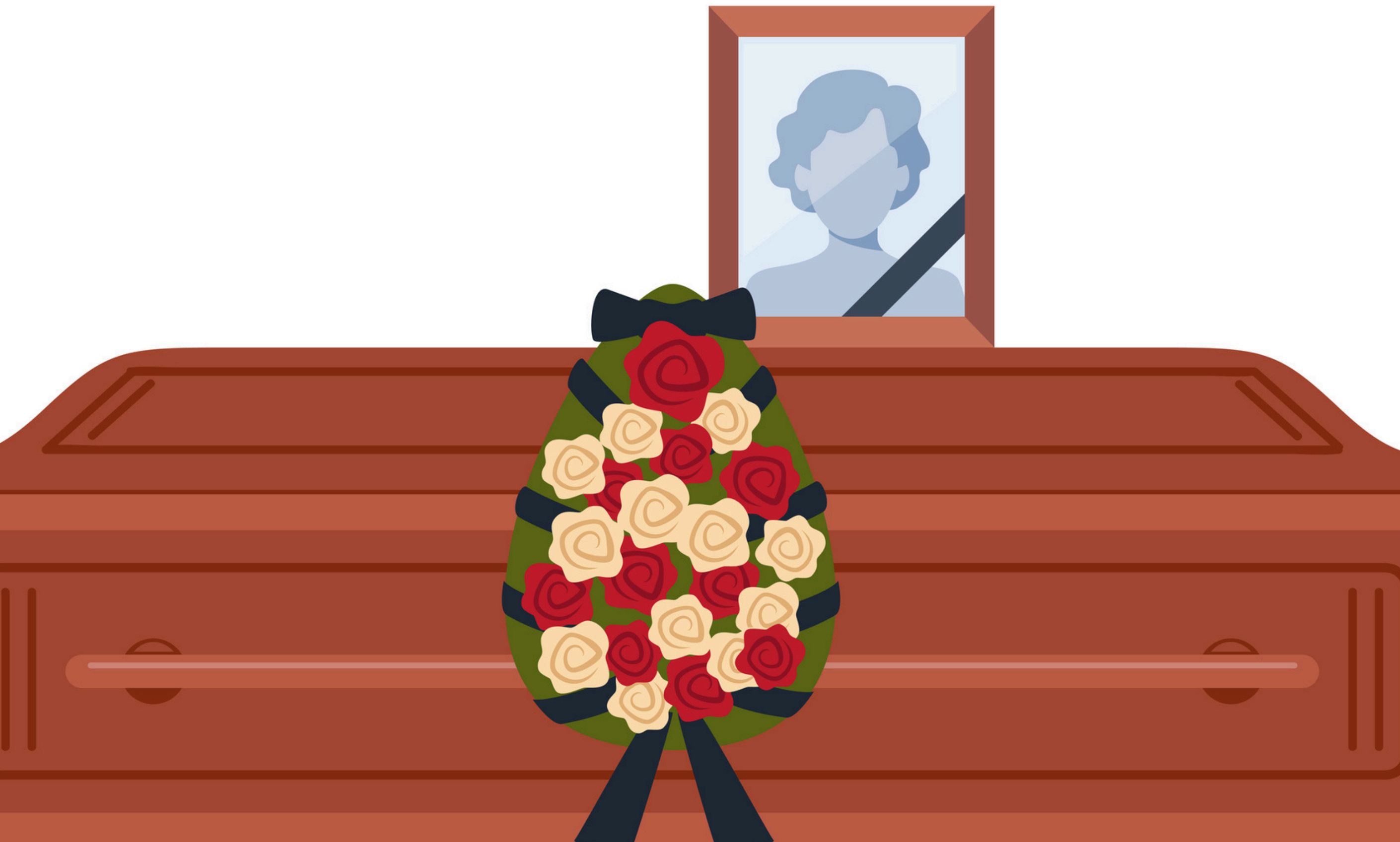
There are strict spending limitations, so you must meet with Social Services prior to meeting with the mortuary.

Total expenses of burial will be limited to qualify for the benefit.

If the deceased was in the military or is the spouse or dependent child of a person in the military, contact the VA cemetery or VA office. There may be burial benefits.

The mortuary will call the VA at your request. Typically, unless the deceased was disabled due to service-related injuries, the only benefit a veteran receives is burial at a national cemetery.

** From the 2021 Colorado Senior Law Handbook, page 360.*

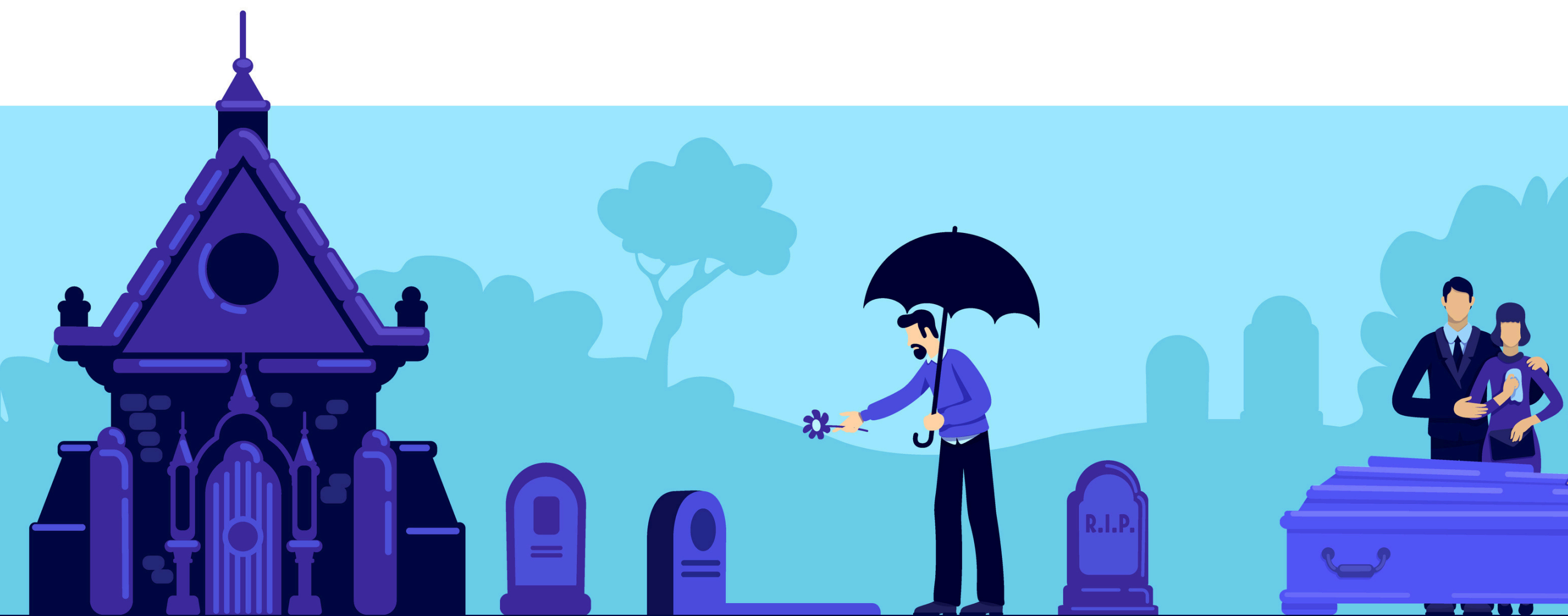


INFO TO KNOW

THE FUNERAL RULE

The Federal Trade Commission (FTC) enforces the Funeral Rule on the federal level. This rule helps to ensure that those making funeral arrangements have the right to select only the goods and services that they need and are required to pay only for the services they select. You have considerable rights under the Funeral Rule.

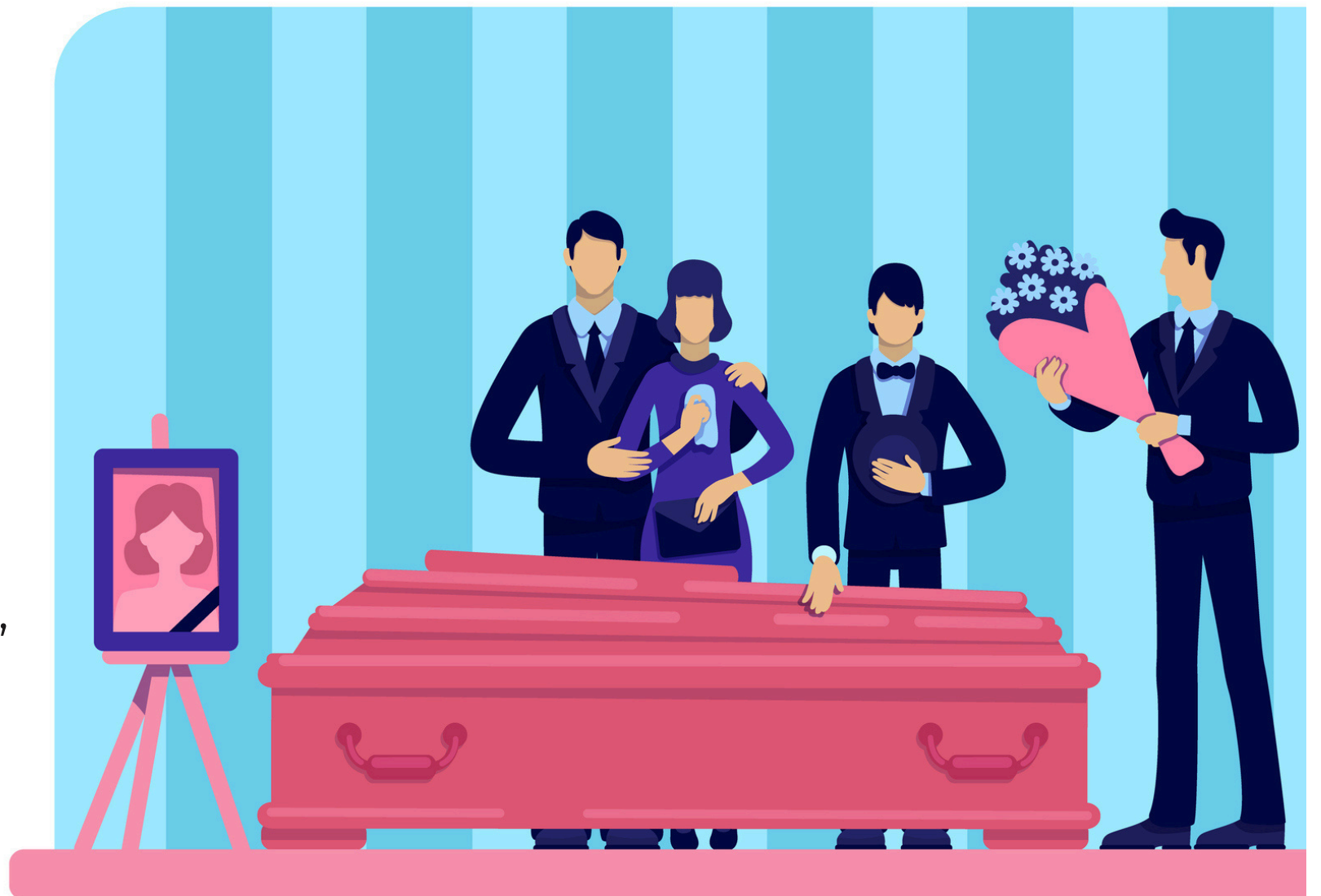
- Buy only the funeral arrangements you want. You have the right to buy separate goods (such as caskets) and services (such as embalming or a memorial service). You do not have to accept a package that may include items you do not want.
- Get price information on the telephone. Funeral directors must give you price information on the telephone if you ask for it. You don't have to give them your name, address, or telephone number first. Although they are not required to do so, many funeral homes mail their price lists, and some post them online.
- Get a written, itemized price list when you visit a funeral home. The funeral home must give you a General Price List (GPL) that is yours to keep. It lists all the items and services the home offers, and the cost of each one.
- See a written casket price list before you see the actual caskets. Sometimes, detailed casket price information is included on the funeral home's GPL. More often, though, it's provided on a separate casket price list. Get the price information before you see the caskets, so that you can ask about lower-priced products that may not be on display.
- See a written outer burial container price list. Outer burial containers are not required by state law anywhere in the U.S., but many cemeteries require them to prevent the grave from caving in. If the funeral home sells containers, but doesn't list their prices on the GPL, you have the right to look at a separate container price list before you see the containers. If you don't see the lower-priced containers listed, ask about them.



INFO TO KNOW

THE FUNERAL RULE

- Receive a written statement after you decide what you want, and before you pay. It should show exactly what you are buying and the cost of each item. The funeral home must give you a statement listing every good and service you have selected, the price of each, and the total cost immediately after you make the arrangements.
- Get an explanation in the written statement from the funeral home that describes any legal cemetery or crematory requirement that requires you to buy any funeral goods or services.
- Use an “alternative container” instead of a casket for cremation. No state or local law requires the use of a casket for cremation. A funeral home that offers cremations must tell you that alternative containers are available, and must make them available. They might be made of unfinished wood, pressed wood, fiberboard, or cardboard.
- Provide the funeral home with a casket or urn you buy elsewhere. The funeral provider cannot refuse to handle a casket or urn you bought online, at a local casket store, or somewhere else — or charge you a fee to do it. The funeral home cannot require you to be there when the casket or urn is delivered to them.
- Make funeral arrangements without embalming. No state law requires routine embalming for every death. In Colorado, a body is required to be refrigerated or embalmed within 24 hours. In addition, you may choose services like direct cremation and immediate burial, which don’t require any form of preparation. Many funeral homes have a policy requiring embalming if the body is to be publicly viewed, but this is not required by law. Ask if the funeral home offers private family viewing without embalming. If some form of preparation is a practical necessity, ask the funeral home if refrigeration is available.



INFO TO KNOW

CONTRACTS

Make sure you are dealing with a licensed Provider (ask to see their license or look at their license at dpo.colorado.gov).

Ensure the Provider has given you a copy of the price list before signing a contract, as required by law. The Provider is required to provide the price list over the phone and may post its price list on its public website.

Review the cemetery's or crematorium's by-laws for any special rules that you must follow, including restrictions on the purchase of supplies and services.

Make sure the contract has details about the things you have agreed to buy or rent, such as:

- Services, facilities and vehicles
- Casket, urn, vault, grave, crypt, niche or monument
- Any other payments (for newspaper notices, police escorts, honorarium for religious officials, catering, etc.)
- Any applicable taxes and commissions or benefits the provider will receive for referrals.



If the supplies and services you have purchased are not available at the time of need, you must be provided with supplies and services of equivalent value, at no additional cost.

All funeral establishments are required to have a written contract with all subcontractors or agents.

The contract must be signed by the establishment's designee and made available upon request to a consumer when a contractor will be used for the services the consumer has purchased.

INFO TO KNOW

CONTRACTS

BEFORE YOU SIGN

- ☐ Did the provider provide you with a copy of the contract to review prior to signing and provide a copy of the signed contract?
- ☐ Is the establishment registered?
- ☐ Is the contract signed by a designee (i.e. a licensed funeral director or mortuary science practitioner)?
- ☐ Are all subcontractors listed, or has the provider provided you a list of any subcontractors that they use?
- ☐ Does the contract include the following words: "funeral homes and crematory establishments are regulated by the department of regulatory agencies. to file a complaint, contact", along with the current address or telephone number of the department?
- ☐ Does the contract list all of the services you have purchased, without listing additional services that you have not purchased?
- ☐ Are the prices in the contract consistent with the prices in the price list you have been provided?
- ☐ Has the establishment informed you of all disclosures you are agreeing to prior to signing the contract?



THE PLANNING PROCESS

PREARRANGING AND PREPAYING

Many people plan ahead to prepare for their death, and some choose to pay in advance for their final arrangements.

Prepayment may be a good idea because:

- It saves your family and friends from having to make many difficult decisions during a time of grief.
- It gives you a say in planning your own arrangements.
- It gives you time to assess and compare your options.

Prepaying could also reduce or eliminate the financial burden on your family.



THE PLANNING PROCESS

PREARRANGING
AND PREPAYING

ABOUT PRENEED CONTRACTS



A pre-need funeral contract is any written contract or agreement for future funeral services for a named beneficiary. Article 15 of Title 10 of the Colorado Revised Statutes sets forth the licensing requirements that need to be met and completed by any individual or entity that intends to be a pre-need contract seller.

The statutes also set forth the contractual requirements between the pre-need contract seller and the consumer or pre-need contract buyer. These contracts are regulated by the Colorado Division of Insurance within the Department of Regulatory Agencies.

TIPS FOR CONSUMERS BUYING
PRE-NEED FUNERAL CONTRACTS

- ✓ Verify with the Division of Insurance that the entity is licensed as a pre-need contract seller.
- ✓ If a consumer is paying cash for a pre-need contract, then the funds should be placed in trust. The consumer should ask the funeral director for the name of the trustee.
- ✓ Know that a licensed pre-need contract seller can also sell pre-need funeral contracts to be funded by a life insurance policy.
- ✓ If a funeral home is NOT a licensed pre-need contract seller, but the consumer is asked to pay in advance, the consumer should ask where the money will be placed.
- ✓ Ask for a receipt for any money paid.



- ✓ Ask the contract seller what will happen in the event the purchaser chooses to cancel the services or if the company goes out of business.
- ✓ Contact the Colorado Division of Insurance with any questions or complaints about pre-need funeral contracts or pre-need contract sellers by calling 303-894-7490 or toll free at 800-930-3745. Or, email: DORA_Insurance@state.co.us.

COMPLAINTS

AT THE COLORADO DEPARTMENT OF REGULATORY AGENCIES, CONSUMER PROTECTION IS OUR MISSION

While no one ever wants to have a bad experience, the Division of Professions and Occupations at DORA is here if you have issues with a registered funeral home or crematory or with someone in a licensed mortuary science occupation. The Division also accepts complaints on providers who are not registered or licensed, but are acting as a registrant or licensee.

To file a complaint, please visit dpo.colorado.gov/filecomplaint.

At this address, you may file a complaint through our online system, or you may download a complaint form to provide to the Division in another way. You may choose to provide your contact information with your complaint or you may file anonymously. Further information about the complaint process is available on this webpage.

Please note that the Division only has purview over items that are part of the Mortuary Science Code (C.R.S. 12-135-101 et. seq.). The Division has no purview over other items, such as financial disputes.

To file a complaint about a pre-need funeral contract, please visit the Colorado Division of Insurance website at doi.colorado.gov/for-consumers/file-a-complaint.



CONSUMER INFORMATION

ADDITIONAL RESOURCES

While the Colorado Division of Professions and Occupations regulates funeral homes and crematories and is beginning the process of regulating mortuary science occupations, there are several other entities that are available to assist with additional information.

DECISION MAKING FOR FINAL DISPOSITION OF HUMAN REMAINS

Regulations around final disposition are outlined in Section 15-19-106, Colorado Revised Statutes. Responsibility falls to the following individuals, in order:

- The decedent, through a declaration
- The appointed personal representative or special administrator of the decedent's estate if such person has been appointed
- The nominee for appointment as personal representative under the decedent's will if a personal representative or special administrator has not been appointed
- The surviving spouse, if not legally separated
- A person with the right to direct the disposition of the decedent's last remains in a designated beneficiary agreement
- A majority of the surviving adult children
- A majority of the surviving parents or legal guardians
- A majority of the surviving adult siblings
- Any person who is willing to assume legal and financial responsibility for the final disposition of the decedent's last remains

BURIAL OR REMOVAL OF HUMAN REMAINS FROM THE STATE

Final disposition of human remains is governed by Section 25-2-111, C.R.S.

- Authorization must be obtained from the county in which the death occurred.
- If the death occurred in another state, the disposition permit from that state serves as the disposition permit.
- If a body is buried on private land the owner of the land is required to record the burial within thirty days with the county clerk and recorder of the county in which the land is situated.

DEATH CERTIFICATE FILING, ORDERING OR CORRECTION

The Colorado Department of Public Health and Environment has authority over death certificates. You can find more information about death certificates on their website at <https://cdphe.colorado.gov/vitalrecords>.

CONSUMER INFORMATION

ADDITIONAL RESOURCES

SOME MAJOR FUNERAL ORGANIZATIONS

Colorado Funeral Directors Association (CFDA)

A voluntary, nonprofit association established in 1898 to advance the economic and professional interests of Colorado's funeral directors and the funeral service industry they represent.

Cremation Association of North America (CANA)

Founded in 1913, CANA is an international organization of over 3,300 members, composed of cremationists, funeral directors, funeral home operators and owners, cemeterians, industry suppliers and consultants.

Funeral Consumer Society of Colorado

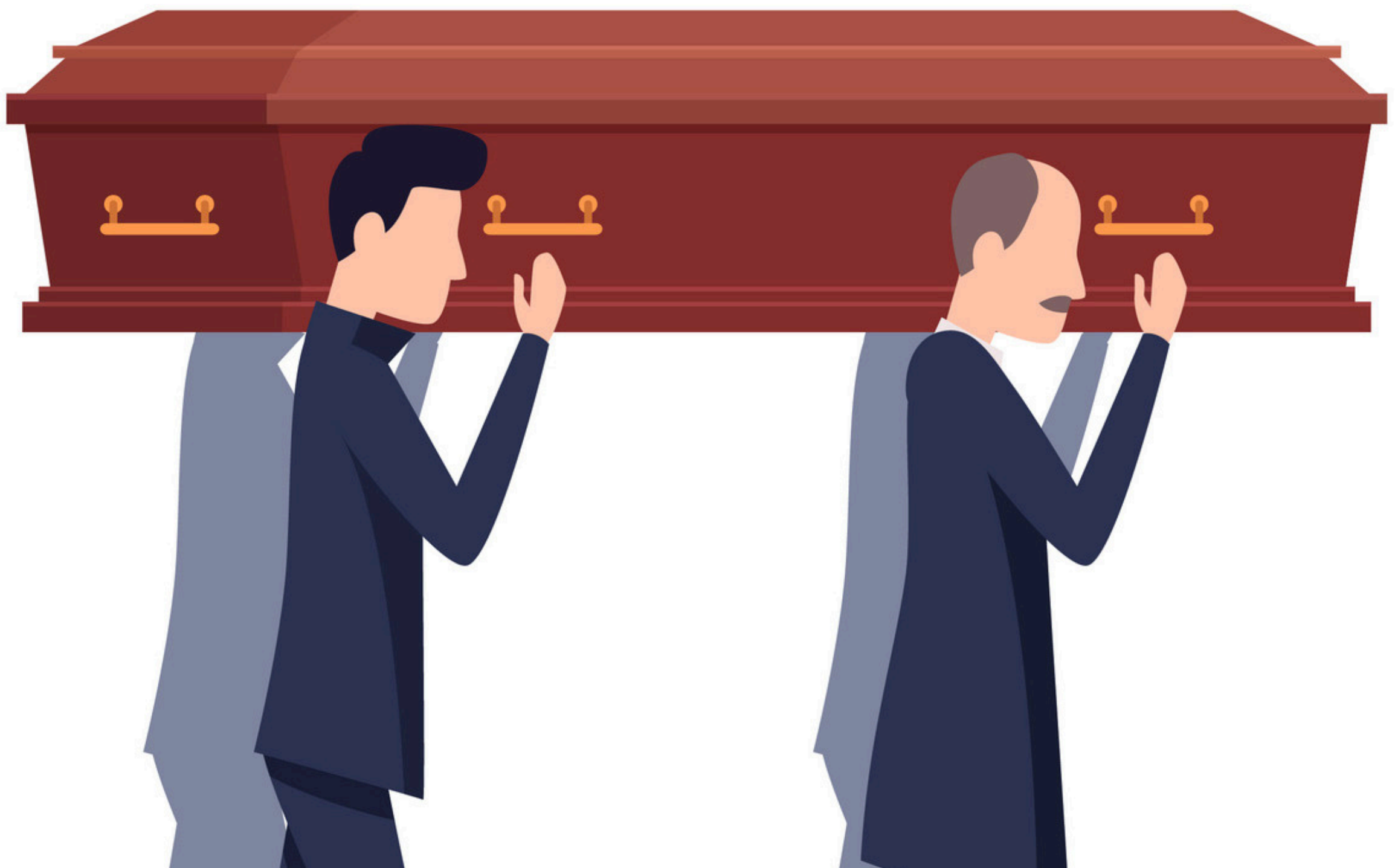
A nonprofit organization dedicated to educating consumers about end-of-life issues.

Funeral Consumers Alliance

A nonprofit organization dedicated to protecting a consumer's right to choose a meaningful, dignified, affordable funeral.

International Conference of Funeral Service Examining Boards (ICFSEB or "The Conference")

A not-for-profit voluntary association providing examination services, information and regulatory support to funeral service licensing boards and educators, governmental bodies and other regulatory agencies.



Glossary

Alternative container - A nonmetal receptacle or enclosure, without ornamentation or a fixed interior lining, that is designed for the encasement of human remains and is made of fiberboard, pressed wood, composition materials, or other similar materials.

Accredited mortuary science school - A mortuary science school that the director determines qualifies an individual for licensure.

Casket - A rigid container that is designed for the encasement of human remains and is ornamented and lined with fabric.

Cremated remains or Cremains - All human remains recovered after cremation, including pulverization, that leaves only bone fragments that have been reduced to unidentifiable dimensions.

Cremation or Cremate - The reduction of human remains to essential elements, the processing of the remains, and the placement of the processed remains in a cremated remains container. Does not include natural reduction or to naturally reduce human remains.

Cremation chamber - An enclosed space inside of which human remains are cremated.

Cremation container - A container in which the human remains are transported to the crematory and intended to be placed in the cremation chamber.

Cremationist - A person who cremates or prepares for cremation human remains.

Crematory - A building, facility, establishment, or structure where human remains are cremated.

Custodian - The person with possession and control of human remains.

Embalm or embalming - The disinfection and temporary preservation of human remains by chemically treating the body to reduce the presence and growth of organisms, to retard organic decomposition, or to attempt restoration of the physical appearance.

Embalmer - A person who embalms, or prepares for embalming, human remains.

Final disposition - The disposition of human remains by entombment, burial, cremation, natural reduction, or removal from the state.

Funeral, funeral service, or funeral ceremony - A service or rite commemorating the deceased and at which service or rite the body of the deceased is present.

Funeral director - A person who, arranges, directs, or supervises funerals, memorial services, or graveside services.

Funeral establishment, funeral home, or mortuary - An establishment that holds, cares for, or prepares human remains prior to final disposition.

Funeral goods - Goods that are sold or offered for sale directly to the public for use in connection with funeral services or cremation services.

Funeral services - Preparation of human remains for final disposition.

Human remains -The physical remains of a dead human.

Memorial service - A service or rite commemorating the deceased and at which service or rite the body of the deceased and at which service or rite the body of the deceased is not present.

Mortuary Science Practitioner - A person who embalms or cremates human remains; arranges, directs, or supervises funerals, memorial services, or graveside services; or prepares human remains for final disposition.

Natural reduction or naturally reduce - The contained, accelerated conversion of human remains to soil.

Next of kin - A family member or members of the deceased who have legal authority over the disposition of human remains.

Ossuary - A receptacle used for the communal placement of cremated remains or naturally reduced remains, without using an urn or other container, in which cremated or naturally reduced remains are commingled with other cremated or naturally reduced remains.

Preneed contract - Any written contract, agreement, or mutual understanding whereby, upon the death of the preneed contract beneficiary, a final resting place, merchandise, or services are provided or performed in connection with the final disposition of the beneficiary's body.

Preparation of the body - Embalming, washing, disinfecting, shaving, dressing, restoring, casketing, positioning, caring for the hair of or applying cosmetics to human remains.

Provisional license - A license issued to an individual to allow them to practice in a profession before qualifying for full licensure.





COLORADO

Department of
Regulatory Agencies

Division of Professions and Occupations

To learn more about funeral homes, crematories,
natural reduction, and mortuary science
regulations, contact the
Colorado Division of Professions and Occupations
Office of Funeral and Mortuary Science Services

Phone: 303-894-7800

Fax: 303-869-0237

Website: dpo.colorado.gov/funeralcrematory

Email: dora_funeralhomesandcrematories@state.co.us