

NEW JERSEY REGISTER  
VOLUME 40, ISSUE 5  
**ISSUE DATE: MARCH 3, 2008**  
**RULE ADOPTIONS**  
LAW AND PUBLIC SAFETY  
**DIVISION OF CONSUMER AFFAIRS**  
**STATE BOARD OF MORTUARY SCIENCE OF NEW JERSEY**

Adopted New Rule: N.J.A.C. 13:36-5.19

**Use of Registered Mortuary in Organ and Tissue Recovery**

Proposed: May 7, 2007 at 39 N.J.R. 1638(a).

Adopted: October 2, 2007 by the State Board of Mortuary Science of New Jersey, Louis J. Stellato, Jr., President.

Filed: January 29, 2008 as R.2008 d.40, without change.

Authority: N.J.S.A. 45:7-38 and 45:1-15.1.

Effective Date: **March 3, 2008.**

Expiration Date: March 2, 2010.

**Federal Standards Statement**

A Federal standards analysis is not required because the adopted new rule is governed by N.J.S.A. 45:7-32 et seq. The adopted new rule is not subject to any Federal requirements or standards.

Full text of the adopted new rule follows:

**13:36-5.19 Use of registered mortuary in organ and tissue recovery**

- (a) A registered mortuary shall not be used as a site for recovering organs and/or tissues from a decedent.
- (b) A licensed funeral director who permits a registered mortuary to be used as a site for recovering organs and/or tissues from a decedent shall be deemed to have engaged in professional misconduct and shall be subject to disciplinary action pursuant to N.J.S.A. 45:1-21 et seq.
- (c) Nothing contained in this section shall preclude the use of a registered mortuary for the purpose of conducting examinations to determine the cause and/or manner of death of a decedent.
- (d) Nothing in this section shall preclude a licensed funeral director from providing a lock of the decedent's hair to a member of the decedent's immediate family prior to the final disposition of remains.

