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PUBLIC NOTICES
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MORTUARY SCIENCE

Notice of Final Action on Petition for Rulemaking

Use of Tape in the Preparation of the Body of a Deceased Person

Petitioners: Ms. Jacqueline Palladino and Ms. Cindy Getto.

Authority: N.J.S.A. 45:1-15.1.

Take notice that on April 7, 2015, the State Board of Mortuary Science (Board) determined that correspondence received from Ms. Jacqueline Palladino and Ms. Cindy Getto should be considered a petition for rulemaking. The petitioners request that the Board amend its rules to require the use of tape, other than grey construction tape (aka duct tape), in the preparation of the body of a deceased person.

The petitioners state that it is an unethical practice to use grey construction duct tape in preparing a human body for burial and suggest that instead medical tape should be used. The petitioners further state that the medical industry, including hospitals, use various types of tapes that will contain the same bodily fluids the funeral industry encounters and that such tapes are more acceptable because they would not leave a loved one in a state of distress if these types of tapes are observed on a body.

Take further notice that, at its May 5, 2015, meeting, the Board referred this matter to its Rules and Regulations Committee for further deliberation to review the petitioners' request in the context of industry practices and the use of alternative materials. A notice acknowledging the Board's action on May 5, 2015, was filed with the Office of Administrative Law.

Take further notice that the Board considered the petition for rulemaking at the open public session of its June 2, 2015, meeting. The Board determined to grant the petition and initiate a rulemaking proceeding to amend N.J.A.C. 13:36-5.6 to require State funeral establishments to have clear, white, or flesh-colored adhesive tape.

A copy of this notice has been mailed to the petitioners pursuant to N.J.A.C. 1:30-4.2.