COVID-19 ADVISORY FOR NEW JERSEY CEMETERIES AND MORTUARIES (REVISED October 30, 2020)

On August 20, 2020, Judith Persichilli, Commissioner of the New Jersey Department of Health, revised Executive Directive 20-010 (“Revised Directive”) to relax the constraints on mortuary practitioners and cemetery companies previously imposed in April during the peak rate of deaths in the State related to COVID-19. The New Jersey Cemetery and Mortuary Science Boards together issue this revised guidance to summarize pertinent changes in the Revised Directive.

All licensees are strongly urged to review the terms of the Revised Directive and Governor Murphy’s Executive Orders related to limits on the number of attendees at gatherings (indoor and outdoor) and the protective measures required at all gatherings to reduce the risk of COVID-19 transmission. The Division of Consumer Affairs greatly appreciates all licensees who admirably responded to the unprecedented demand for funeral and disposition services. The safety and well-being of all citizens is the Division’s highest priority. If you have any questions, please contact Quin Archer at Archerq@dca.njoag.gov.

FUNERAL SERVICES & MORTUARY CARE

- **Limits on Gatherings and Person-to-Person Contact.** All Board licensees must comply with Governor Murphy’s limitations on public gatherings and person-to-person contact, as originally outlined in Executive Order No. 152 and as recently modified in Executive Order No. 183. Indoor gatherings for funerals and memorials are limited to 25% of room capacity and no more than 150 attendees, regardless of room capacity.

  EO-152 requires that all attendees at public gatherings wear face coverings and remain six feet apart (excluding immediate family and/or household members). Attendees should not share physical items (such as pens) unless the items are sanitized between uses.

- **Open Casket Services Permitted with Barriers.** The Revised Directive permits in-person viewings, visitations, or ceremonies with an open casket so long as mortuaries discourage mourners from touching the decedent by using an appropriate physical barrier, such as stanchion roping, that separates mourners from the decedent.

  The virus that causes COVID-19 is thought to spread from close contact with an infected person (i.e., within 6 feet), however mourner-to-mourner transmission may be possible if an infected mourner contaminates a casket or other surface and is followed by mourners who touch the same surfaces. The Centers for Disease Control and Prevention continues to recommend that mourners avoid touching the body of someone known to have been infected with COVID-19.

  **Embalmimg.** The Revised Directive no longer discourages embalming of remains of persons who have died with suspected or confirmed COVID-19. Embalming may be performed if appropriate personal protective equipment is utilized. All persons involved in handling remains, regardless of the cause of death, should adhere to Standard Precautions.

  **Services May Not Be Denied Based on Cause of Death.** Licensees are reminded they may not deny or place conditions on providing services based solely upon a decedent’s cause of death, including arbitrarily increasing prices.

  **Required Signatures Can Be Electronic.** Executive Order 112 continues to permit signature requirements for prepaid and at-need funeral arrangements to be satisfied electronically.

DISPOSITIONS

- **Registered Interns May Witness Disposition.** Administrative Order 2020-04 modified N.J.A.C. 13:36-8.10 to allow Registered Interns, at the discretion and under the direction of their established Preceptors, to witness final disposition of remains during the emergency. Interns must always carry their Intern Identification Card when performing tasks outside mortuary premises and display credentials upon request. Preceptors remain responsible for the actions of the Registered Interns.

  **TEMPORARY MORGUES DECOMMISSIONED**

- As of July 15, 2020, temporary morgues established by the Office of the Chief State Medical Examiner are no longer accepting human remains.

  **Governor Murphy’s Executive Orders**

  **EO-152** (June 9, 2020) – Imposes transmission mitigation measures (face coverings, social distancing, etc.)

  **EO-183** (September 1, 2020) – Adjusts indoor gathering limit for funeral and memorial services to 25% room capacity and maximum 150 persons. All other mitigation measures in paragraph 1 of EO-152 remain in effect.

  **Additional Resources**

  CDC Standard Precautions

  Revised Dept of Health Directive - Disposition of Remains