

DIVISION OF CEMETERIES

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COMMISSIONER OF HEALTH

TO: ALL REGULATED CEMETERIES AND CREMATORIES

FROM: NEW YORK STATE DEPARTMENT OF STATE, DIVISION OF CEMETERIES

RE: TEMPORARY MODIFICATION OF REQUIREMENTS FOR THE DEPARTMENT OF STATE AUTHORIZATION FOR CREMATION AND DISPOSITION FORM DUE TO COVID-19

DATE: MARCH 27, 2020

In response to the current COVID-19 outbreak, Governor Andrew M. Cuomo declared a State of Emergency with [Executive Order 202](#) on March 7, 2020.

Since that time, the Division of State (Division) has received requests for flexibility in the requirements for execution, witnessing and delivery of the Authorization for Cremation and Disposition Form ([DOS-1898-f \[Rev. 08/15\]](#)) (the "Form").

Given the prioritization of health and safety during this public health crisis, the Division hereby modifies its current requirements, for the duration of Governor Cuomo's declaration of a State Disaster Emergency, to recognize as valid a Form witnessed remotely by a funeral director. A Form will be recognized as valid so long as it complies with the following:

- If the funeral director is not in the same room as the individual(s) completing and signing the Form (the Person(s) Authorizing Cremation), then audio-video technology shall be used to permit the funeral director, and Person(s) Authorizing Cremation, to see, hear and directly interact with one another;
- The Person(s) Authorizing Cremation must present valid photo identification to the funeral director during the video conference. The transmission of a legible photograph of the identification, by text message or email, is acceptable;
- The funeral director must witness the Person(s) Authorizing Cremation fill-in and complete the Form, and must explain the different sections and provisions, as needed;
- After the Form is filled in and completed, the Person(s) Authorizing Cremation shall date and sign the Form and transmit a copy to the funeral director for immediate receipt. Transmission of a clear and legible copy by text message, email or facsimile transmission is acceptable;
- After the completed Form is transmitted, the Person(s) Authorizing Cremation shall send the original signed Form to the funeral director by first class mail as soon as practicable;
- Immediately after receiving the signed copy of the Form, the funeral director must review it to ensure that it is complete and does not contain errors. The funeral directors should then complete and sign the "Witness" portion of the Form and insert the words "**From a remote location**" after the Form's section heading for "WITNESS";

- The remains that are the subject of the completed Form may be transmitted, with the completed copy of the Form, signed and witnessed, as set forth above;
- A crematory shall treat a copy of the completed Form with the notation "From a remote location" as if it were an original;
- Upon receipt by first class mail of the original Form, the funeral director shall complete and sign the "Witness" portion exactly as was done with the previously received copy, indicating the date of prior actual witness(s) and noting the circumstances;
- Upon witnessing and completing the original Form, the funeral director shall mail it, by first class mail, to the crematory where the remains were sent; and
- Upon receipt of the original Form, the crematory shall place it with the copy previously received, and retain both copies in the permanent file of the crematory.