

TITLE 140: COMMONWEALTH HEALTHCARE CORPORATION

SUBCHAPTER 140-10.4 INTERMENTS AND DEAD BODIES REGULATIONS

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Part 100 Bodies Abandoned in the

Subchapter Authority: 1 CMC 2605(f).

Subchapter History: Adopted 17 Com. Reg. 13388 (May 15, 1995); Proposed 17 Com. Reg. 13019 (Mar. 15, 1995); Emergency and Proposed 17 Com. Reg. 12696 (Jan. 15, 1995) (effective for 120 days from Jan. 6, 1995).

Commission Comment: PL 1-8, tit. 1, ch. 12, codified as amended at 1 CMC §§ 2601-2633, created the Department of Public Health and Environmental Services within the Commonwealth government. See 1 CMC § 2601. 1 CMC § 2605(f) directs the Department to adopt rules and regulations regarding those matters over which it has jurisdiction, including interments and dead bodies.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles, and effected numerous other revisions. According to Executive Order 94-3 § 105:

Section 105. Department of Public Health.

The Department of Public Health and Environmental Services is re-designated the Department of Public Health.

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

Public Law 16-51 (effective Jan. 15, 2010), the “Commonwealth Healthcare Corporation Act of 2008,” codified at 3 CMC § 2801 et seq., established the Commonwealth Healthcare Corporation, which assumed the duties of the Department of Public Health as of January 15, 2011.

Part 001 - General Provisions

§ 140-10.4-001 Authority

The Department of Public Health is authorized to implement the regulations governing interments and dead bodies codified in this subchapter pursuant to 1 CMC § 2605(f).

Modified, 1 CMC § 3806(d), (g).

History: Adopted 17 Com. Reg. 13388 (May 15, 1995); Proposed 17 Com. Reg. 13019 (Mar. 15, 1995); Emergency and Proposed 17 Com. Reg. 12696 (Jan. 15, 1995) (effective for 120 days from Jan. 6, 1995).

Commission Comment: The Commission inserted the final period.

Part 100 - Bodies Abandoned in the Commonwealth Health Center Morgue

§ 140-10.4-101 Bodies Abandoned in the Commonwealth Health Center Morgue

TITLE 140: COMMONWEALTH HEALTHCARE CORPORATION

- (a) Upon the death of an individual within the CNMI, Commonwealth Health Center staff will attempt to locate family members or friends to advise them about the death, and to request that they take possession of the body.
- (b) If Commonwealth Health Center staff are unable to locate the decedent's family members or friends within the period of two weeks, the Commonwealth Health Center shall place a public notice in a newspaper of general circulation announcing the person's death, and that the body is being held at the Commonwealth Health Center morgue.
- (c) If, after one week following the announcement in the newspaper, the body remains unclaimed, the Department of Public Health shall have the power to supervise and conduct a burial of the decedent within the CNMI.
- (d) In those instances where the Commonwealth Health Center staff have made significant efforts to locate family members and friends of the decedent, but have been unsuccessful in locating such individuals, and maintaining the remains of the decedent in the Commonwealth Health Center morgue poses an immediate threat of communicable disease, the Commonwealth Health Center may dispense with the requirement of public notice and may supervise and conduct a burial of the decedent after the body has remained unclaimed in the morgue for a period of two weeks.

History: Adopted 17 Com. Reg. 13388 (May 15, 1995); Proposed 17 Com. Reg. 13019 (Mar. 15, 1995); Emergency and Proposed 17 Com. Reg. 12696 (Jan. 15, 1995) (effective for 120 days from Jan. 6, 1995).