

This is a checklist of inspection items that Department of Labor and Industry inspectors refer to when inspecting crematories in Montana. This document is intended for reference only so licensees are aware of specific inspection items.

Inspection Checklist and Inspector Guidelines – Crematories (CRE)

- This is the same checklist used for initial licensure of new facilities and the annual inspections.
- "Crematory" for purposes of the parts of the facility that fall under the inspection criteria can be the whole building or the *portion* of the building that holds the cremation chamber and holder facility (37-19-301(14) MCA).
- If a facility does not meet compliance standards and is found to be "noncompliant" then inspector must notify the licensee of issue(s) of noncompliance and give them 10 days for the crematory operator-in-charge to submit written response per [ARM 24.147.403](#).

	Inspection Item	If "Yes"	If "No"	If "N/A"
1.	Is the crematory located in the same building as a licensed mortuary or is it freestanding?	In compliance - crematories can be located in the same building as mortuaries (attached) or freestanding. A crematory license is required for both attached crematories and freestanding crematories. (37-19-702, MCA)	In compliance - crematories can be located in the same building as mortuaries (attached) or freestanding. A crematory license is required for both attached crematories and freestanding crematories. (37-19-702, MCA)	
2.	Does the crematory allow anyone who is not a licensed mortician to present, negotiate, or sell prearranged funeral or related services?	Not in compliance – only a licensed mortician can present, negotiate, or sell prearranged funeral or related services per 37-19-827, MCA .	<p>Option 1 In compliance - only a licensed mortician can present, negotiate, or sell prearranged funeral or related services per 37-19-827, MCA. All preneed funeral arrangements are made by licensed morticians.</p> <p>Option 2 In compliance - only a licensed mortician can present, negotiate, or sell prearranged funeral or related services per 37-19-827, MCA. No preneed funeral arrangements are made at this crematory.</p>	
3.	Was the crematory inspection announced? 37-19-703(6), MCA			N/A – not applicable to inspection compliance

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4.	Listed d/b/a/ facility name is same used on signs and business documents?			Inspector should answer this question by selecting "N/A" and noting in the comments that this question has nothing to do with the crematory inspection and licensee compliance. (In other words, whether the department chose to announce the inspection or not has nothing to do with licensee compliance.)
5.	Has this crematory had a change of ownership as defined in ARM 24.147.302(1) : "...more than 50 percent of the equitable ownership of a mortuary, branch establishment, crematory, or cemetery is transferred to one or more persons or any other legal entity, in a single transaction or in a related series of transactions."?	Not in compliance – crematory is not operating under a current, valid license. Per ARM 24.147.407(2) and 37-19-703, MCA(3) , crematory must apply for a new crematory license in order to operate due to a greater than 50 percent change in ownership as defined in ARM 24.147.302(1) .	In compliance – crematory is operating under a current, valid license since there has been no change of ownership as defined in ARM 24.147.302(1) .	
6.	Is the person designated as the crematory operator-in-charge on the crematory license still employed by the crematory and acting as the crematory operator-in-charge?	In compliance – per 37-19-702(3) , MCA, and ARM 24.147.1101(3)(a) a crematory must have designated crematory operator-in-charge to operate.	Not in compliance - per 37-19-702(3) , MCA, and ARM 24.147.1101(3)(a) a crematory must have designated crematory operator-in-charge to operate. Crematories must notify the board of a change in crematory operator-in-charge per the requirements ARM 24.147.409	
7.	Are the crematory license and all employee licenses current and displayed in a conspicuous place so they can be seen by members of the public?	In compliance – all licenses are current and displayed per ARM 24.147.1101(5)(g) and 37-19-702(1) and (3), MCA.	Not in compliance – current licenses not displayed per ARM 24.147.1101(5)(g) and 37-19-702(1) and (3), MCA.	
8.	Does crematory comply with all local, state, and federal requirements as described in ARM 24.147.1101(6)(b) , (7) and 37-19-703() , MCA?	In compliance – meets requirements in ARM 24.147.1101(5)(b) , (7) and can show inspector proof of applicable, required permit or licenses.	Not in compliance – does not meet requirements in ARM 24.147.1101(5)(b) , (7) and cannot show inspector applicable, required permit or licenses.	

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			Remedy – would depend on level of infraction. Inspector must notify person of issue(s) of noncompliance and give them 10 days for crematory operator-in-charge to submit written response per ARM 24.147.403 .	
9.	Does the crematory have signs posted near telephones and in the vicinity of the retort that direct staff to call 911 in case of fire or emergency?	In compliance – meets requirements in ARM 24.147.1101(5)(f) .	Not in compliance – does not meet requirements in ARM 24.147.1101(5)(f) .	
10.	Per ARM 24.147.411(1) , do mortuary or branch establishment contracts for funeral goods and services (including at-need and preneed) contain the prominently displayed current address, telephone number and name of the board? Additionally, the information shall be in 10-point boldface type and make the following statement: "FOR MORE INFORMATION ON STATE CEMETERY, CREMATION AND MORTUARY REGULATIONS CONTACT: BOARD OF FUNERAL SERVICE, 301 SOUTH PARK, P.O. BOX 200513, HELENA, MT 59620-0513; TELEPHONE NUMBER (406) 841-2300."	In compliance - crematory contracts for funeral goods and services (including at-need and preneed) contain the information required by ARM 24.147.411(1) .	Not in compliance – crematory contracts for funeral goods and services (including at-need and preneed) contain the information required by ARM 24.147.411(1) .	
11.	Do cremation authorizations as described in ARM 24.147.1107 contain the signature of authorizing agent and certification from a mortician on behalf of the mortuary certifying: the remains are those of the decedent as identified by the authorizing agent; the mortician has taken reasonable precautions to ensure the removal of hazardous implants as defined in ARM 24.147.302(3) ; and the personal property identified in the cremation authorization	In compliance – cremation authorization forms executed by the authorized agent and contain the certifications that a mortician must provide under ARM 24.147.1107(5) .	Not in compliance – cremation authorization forms are not executed by the authorized agent and/or do not contain the certifications that a mortician must provide under ARM 24.147.1107(5) .	

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	has been removed from the remains and returned to the authorized agent?			
12.	Do cremation authorizations at this crematory contain all the information, disclosures, and authorizations required under ARM 24.147.1107(4) ?	In compliance – cremation authorization forms meet the requirements in ARM 24.147.1107(4) .	Not in compliance - cremation authorization forms do not meet the requirements in ARM 24.147.1107(4) .	
13.	Does the crematory permanently maintain all Montana coroner cremation authorization forms as required under ARM 24.147.1105(1)(a)(ii) and authorized by 50-15-405(3) , MCA?	In compliance – Montana coroner cremation authorization forms are permanently maintained for every cremation per the requirements in ARM 24.147.1105(1)(a)(ii) .	Not in compliance – Montana coroner cremation authorization forms are not permanently maintained for every cremation per the requirements in ARM 24.147.1105(1)(a)(ii) .	
14.	Has this crematory cremated any remains within 24 hours after the time of death?	Not in compliance – 37-19-705(2) , MCA, does not allow cremation to take place within 24 hours after the time of death.	In compliance – per 37-19-705(2) cremation does not take place within 24 hours after the time of death.	
15.	Does the crematory maintain permanent records that meet all the requirements in ARM 42.147.1105 ?	In compliance – cremation records are permanently maintained and meet all the requirement in ARM 24.147.1105 .	Not in compliance – cremation records are not permanently maintained and/or do not meet all the requirement in ARM 24.147.1105 .	
16.	Does the crematory only accept human remains in cremation containers which meet the definition in 37-19-101(13) , MCA; and then, cremate the remains and the container together without removing the remains from the container?	In compliance – human remains are delivered to the crematory in cremation containers that meet the requirements in 37-19-101(13) , MCA; and, the remains are not removed from the containers per 37-19-705(5) .	Not in compliance – human remains are delivered to the crematory in cremation containers that do not meet the requirements in 37-19-101(13) , MCA; and/or, the remains are removed from the containers which is not allowed under 37-19-705(5) .	
17.	Does the crematory holding facility as defined in 37-19-101(21) , MCA, comply with the definition and the access requirements in ARM 24.147.1111(3) ?	In compliance – holding facility meets the requirements of 37-19-101(21) , MCA, and ARM 24.147.1111(3) .	Not in compliance – holding facility does not meet the requirements of 37-19-101(21) , MCA, and ARM 24.147.1111(3) .	
18.	Are human remains held at this crematory in the manner and temperature dictated by the length of time the remains are held prior to cremation per 37-19-705(4) and ARM 24.147.1111(3) ?	In compliance – remains are held per the appropriate storage and temperature requirements in 37-19-705(4) and ARM 24.147.1111(3) prior to cremation.	Not in compliance – remains are not held per the appropriate storage and temperature requirements in 37-19-705(4) and ARM 24.147.1111(3) prior to cremation.	

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	Inspection Item	If "Yes"	If "No"	If "N/A"
19.	Does this crematory have required procedures and follow those procedures to maintain the integrity of the identification process prior to and after cremation? .	In compliance – crematory has and follows necessary procedures, which at a minimum, meet the requirements in 37-19-704(3) , 37-19-705(8) and (10), MCA, and ARM 24.147.1110 .	Not in compliance – crematory does not have and/or does not follow necessary procedures, which at a minimum, meet the requirements in 37-19-704(3) , 37-19-705(8) and (10), MCA, and ARM 24.147.1110 .	
20.	Tech performing cremation removes identification from cremation container prior to cremation, and returns identification with cremation remains in temporary container or urn. 37-19-705(8) , (10), MCA.			N/A – already answered in question 19
21.	Does this crematory require and maintain statements specifying the ultimate disposition of the cremated remains (if known) which are signed by both the authorizing agents per 37-19-706(1) , MCA?	In compliance – crematory requires and maintains statements specifying the ultimate disposition of the cremated remains (if known) which are signed by both the authorizing agents per 37-19-706(1) .	Not in compliance - crematory does not require and/or maintain statements specifying the ultimate disposition of the cremated remains (if known) which are signed by both the authorizing agents per 37-19-706(1) .	
22.	If an authorizing agent does not claim the remains or specify the ultimate disposition, does this crematory dispose of the remains prior to 90+ days from the date of cremation?	Not in compliance – disposes of remains that have been abandoned by an authorizing agent prior to the allowed 90+ days from the date of cremation ARM 24.147.1105(2) and 37-19-706(2) , MCA.	Not in compliance – does not dispose of remains that have been abandoned by an authorizing agent until after the allowed 90 days from the date of cremation ARM 24.147.1105(2) and 37-19-706(2) , MCA.	
23.	Does the cremation log contain the date, time and place of delivery for all remains with dual signatures from a representative of the crematory (e.g. owner or crematory operator-in charge) and the person receiving delivery of the remains (e.g. crematory operator or crematory technician)?	In compliance – meets the record-keeping requirements of ARM 24.147.1105(1)(e) and 37-19-706(5) , MCA.	Not in compliance – does not meet the record-keeping requirements of ARM 24.147.1105(1)(e) and 37-19-706(5) , MCA.	
24.	Are fetuses, limbs, or body parts from private or public health agencies, medical doctors, or colleges being cremated at this facility by a crematory operator or crematory technician who is not also licensed as a mortician?	Not in compliance – only crematory technicians or crematory operators who are also licensed as Montana mortician can cremate fetuses, limbs, or body parts as described in ARM 24.147.1112(1)(b) . Remedy – would depend on level of infraction. Inspector must notify person of issue(s) of noncompliance and give them 10	In compliance – only crematory technicians or crematory operators who are also licensed as Montana mortician can cremate fetuses, limbs, or body parts as described in ARM 24.147.1112(1)(b) .	

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		days for crematory operator-in-charge to submit written response per ARM 24.147.403 .		
25.	Does this crematory simultaneously cremate more than one set of remains in the same cremation chamber (i.e. "retort"); without express written authorization from all appropriate authorizing agents per 37-19-705(7) , MCA?	<p>Not in compliance – simultaneous cremation and commingling of remains is illegal without authorization as described in 37-19-705(7), MCA.</p> <p>Remedy – would depend on level of infraction. Inspector must notify person of issue(s) of noncompliance and give them 10 days for crematory operator-in-charge to submit written response per ARM 24.147.403.</p>	<p>Option 1 In compliance – simultaneous cremation and commingling of remains is legal with authorization as described in 37-19-705(7), MCA.</p> <p>Option 2 In compliance – to date this crematory has not performed any simultaneous cremations.</p>	
26.	Does this crematory collect all recoverable residue from the cremation chamber at completion of the cremation process and process all bone fragments per 37-19-705(9) , MCA, and ARM 24.147.1111(6)(b)-(d)	In compliance – crematory collects and processes recoverable residue and bone fragments per the requirements in 37-19-705(9) , MCA, and ARM 24.147.1111(6)(b)-(d) .	Not in compliance – crematory does not collect and process recoverable residue and bone fragments per the requirements in 37-19-705(9) , MCA, and ARM 24.147.1111(6)(b)-(d) .	
27.	Does this crematory pack and package cremated remains as per 37-19-705(10) and (11), MCA, and ARM 24.147.1111(6)(f) , (7), and (8)?	In compliance – crematory packs and packages cremated remains per the requirements in 37-19-705(10) and (11), MCA, and ARM 24.147.1111(6)(f) , (7), and (8).	Not in compliance – crematory does not pack and package cremated remains per the requirements in 37-19-705(10) and (11), MCA, and ARM 24.147.1111(6)(f) , (7) and (8).	
28.	Temporary containers are sturdy and sealed to increase security and integrity of container, outside clearly identified with name of deceased. ARM 24.147.1111			N/A – already answered in question 27
29.	Does the crematory maintain the integrity of the identification of the remains prior to final disposition (per the authorizing agent) by ensuring that all packaged remains are clearly labeled and tagged per the requirements in ARM 24.147.1110(2)(d)(e) ?	In compliance – crematory maintains the integrity of the identification of the remains prior to final disposition (per the authorizing agent) by ensuring that all packaged remains are clearly labeled and tagged per the requirements in ARM 24.147.1110(2)(d)(e) .	Not in compliance – crematory does not maintain the integrity of the identification of the remains prior to final disposition (per the authorizing agent) by ensuring that all packaged remains are clearly labeled and tagged per the requirements in ARM 24.147.1110(2)(d)(e) .	

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30.	Does the crematory permanently maintain the metal identity tags associated with cremated remains that the crematory has agreed to scatter per the cremation authorization?	In compliance - crematory permanently maintains the metal identity tags associated with cremated remains that the crematory has agreed to scatter per ARM 24.147.1110(3) .	Not in compliance - crematory does not permanently maintain the metal identity tags associated with cremated remains that the crematory has agreed to scatter per ARM 24.147.1110(3) .	N/A – crematory has never agreed to scatter cremated remains per ARM 24.147.1110(3) .
31.	Does the crematory meet the requirements in 37-19-705(12) , MCA, and ARM 24.147-1111(9) for shipping cremated remains?	In compliance – crematory complies with requirements in 37-19-705(12) , MCA, and ARM 24.147-1111(9) for shipping cremated remains.	Not in compliance – crematory does not comply with requirements in 37-19-705(12) , MCA, and ARM 24.147-1111(9) for shipping cremated remains.	N/A – crematory has never shipped cremated remains.
32.	If remains shipped, must use shipping method with internal tracing system and require signed receipt upon delivery. 37-19-705(13) , MCA.			N/A – already answered in question 31
33.	Has the equipment used in the operation of the cremation facility changed since this crematory last notified the board of a change in equipment?	Not in compliance – per ARM 24.147.1101(9) , crematory must notify board within ten days of any change in equipment as described in 37-19-703(1) , MCA.	In compliance – no change in equipment as described in 37-19-703(1) since the last inspection.	
34.	Holding area must preserve dignity of remains, and accessed only by authorized personnel. 37-19-705(4) , MCA, ARM 24.147.1101 .			N/A – already answered in question 17
35.	Are unauthorized persons allowed in retort area while human remains are awaiting cremation, begin cremated, or being removed from the cremation chamber?	Not in compliance – per 37-19-705(6) , MCA, and ARM 24.147.1111(5) , unauthorized personnel are not allowed in the retort area while human remains are awaiting cremation, begin cremated, or being removed from the cremation chamber.	In compliance - per 37-19-705(6) , MCA, and ARM 24.147.1111(5) , unauthorized personnel are not allowed in the retort area while human remains are awaiting cremation, begin cremated, or being removed from the cremation chamber.	
36.	Is the crematory and all cremation equipment maintained in a clean and sanitary condition per ARM 24.147.1101(6)(d) ?	In compliance – meets requirement in ARM 24.147.1101(6)(d) for crematory to maintain crematory and all cremation equipment in a clean and sanitary condition.	In compliance – does not requirement in ARM 24.147.1101(6)(d) for crematory to maintain crematory and all cremation equipment in a clean and sanitary condition.	

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37.	Are the floors and walls of the crematory constructed of impervious material per ARM 24.147.1101(c)	In compliance – meets standard in ARM 24.147.1101(c) for floors and walls to be constructed of impervious material.	Not in compliance – does not meet standard in ARM 24.147.1101(c) for floors and walls to be constructed of impervious material. Remedy – would depend on level of infraction. Inspector must notify person of issue(s) of noncompliance and give them 10 days for crematory operator-in-charge to submit written response per ARM 24.147.403 .	
38.	Used caskets and parts out of public view. ARM 24.147.1101.			N/A
39.	Additional Comments			

Crematory Inspection Items