**How Care Facility Staff and Administrators Can Support Arizona Families**

**in Caring for Their Own Dead**

Arizona families have the legal right to custody and control of their own dead. One of the greatest challenges to home funeral families is that many facilities have policies that require immediate or timely removal of the body. These may make it difficult for families to make their own arrangements for completing paperwork and transportation. While some families may have plans to move their loved one home rather than to a funeral home, others may only learn they have this right through well-crafted body release policies and procedures. Nurses, chaplains, and social workers can convey accurate information to families about their right to handle after-death care and assist families in making the transition from facility to home go smoothly.

**Legal Authority of Families**

In Arizona, the legislative authority for families to act as unpaid funeral services practitioners is found in **Arizona Statute § 36-326** where the law declares that a body disposition permit may be issued to “a funeral director or other responsible person.” The responsible person is described additionally as the “Authoring agent” in ARS 36-831, starting with the spouse or designated agent.

**Ways You Are Empowered to Assist Families**

1. Determine who is responsible for writing or revising body release policies and procedures. Check to see if the existing policy is in compliance with the law regarding home funeral families’ rights to care for their own dead.
2. Ask families, “*What plans can we assist you in making?”* instead of “*What funeral home do you want us to call?”* See *How Celebrants/Clergy/Chaplains Can Support Arizona Home Funeral Families.*
3. Provide the following information alongside any information about local funeral homes: “Under Arizona law, families may conduct tasks commonly performed by a funeral home, except embalming (which is not required by Arizona law). This may include:
   * caring for the deceased (for example, bathing and dressing);
   * sheltering the deceased at home;
   * filing death notice, handling death certificate/transportation/disposition permit;
   * transporting the body home or to another location for care and viewing (sometimes called a wake or vigil), and to place of final disposition;
   * making arrangements for any ceremony and for final disposition (except making arrangement appointments for cremation).”

**Additional Information**

Arizona Funeral Resources & Education www.AZfuneral.org

National End-of-Life Doula Alliance www.nedalliance.org

National Home Funeral Alliance www.homefuneralalliance.org

Funeral Consumers Alliance www.funerals.org

*10 Ways Care Facility Staff Can Support Home Funeral Families*

*How Celebrants/Clergy/Chaplains Can Support Oregon Home Funeral Families*