

How Maryland Vital Statistics and Health Department Staff Can Assist Families to Care for Their Own Dead

Maryland families have the legal right to custody and control of their own dead. They may also choose to file the death certificate without the assistance of a funeral director. Staff may be unfamiliar with paper filings and families handling this paperwork on their own. Knowing how to serve these families, who are exercising their rights under Maryland law, is a vital public service.

Legal Authority of Families

In Maryland, the legislative authority for families to act as unpaid funeral services practitioners is found in Maryland Code §4-212(7) “The funeral director or *person acting as the funeral director* shall in all cases obtain the medical certification from the person responsible for its completion or obtain assurance that the medical certification has been provided to the Secretary by an approved electronic process.”

Ways You Are Empowered to Assist Families

As a member of the staff, you may field inquiries or accept filings from families wishing to file the death certificate without reliance on a funeral director. These suggestions will help these families receive the same high level of service provided to those using a professional to file electronically:

1. Ensure that you and all of your colleagues are familiar with Maryland law regarding a family’s right to care for their own dead, including the filing of the death certificate and receipt of the burial/transport permit.
2. Familiarizing yourself with the additional information resources below will further equip you to serve families who choose to care for their dead.

Additional Information

Maryland Funeral Resources & Education www.marylandfuneral.org

National Home Funeral Alliance www.homefuneralalliance.org

Funeral Consumers Alliance www.funerals.org