BEFORE THE COMMISSIONER OF HEALTH

STANDARDS FOR IDENTIFICATION OF HUMAN REMAINS
WITH TRANSMISSIBLE DISEASE

WHEREAS, the Oklahoma State Department of Health ("OSDH"), through the State Commissioner of Health, has the authority to take measures as deemed necessary to control, suppress, or prevent the occurrence or spread of any communicable, contagious, or infectious disease pursuant to 63 O.S. § 1-106;

WHEREAS, the State Commissioner of Health is the designated primary public health authority responding to the catastrophic health emergency of the outbreak of the Novel Coronavirus Disease 2019 (COVID-19, formerly known as the 2019 Novel Coronavirus) pursuant to the Governor of Oklahoma’s declaration of a catastrophic health emergency executed through Executive Order 2020-12, affirmed by the Oklahoma State Legislature on April 6, 2020 in the First Special Session of the 57th Legislature;

WHEREAS, pursuant to 63 O.S. § 6801, as the primary public health authority responding to the catastrophic health emergency, the State Commissioner of Health is authorized to enforce the provisions of the Catastrophic Health Emergency Powers Act, 63 O.S. §§ 6101–6900, through methods that include, but are not limited to, the imposition of fines, penalties, and other remedies as are provided by law;

WHEREAS, the provisions of Section 6502(B) of the Catastrophic Health Emergency Powers Act require the following:

   Any human remains prior to disposal shall be clearly labeled with all available information to identify the decedent and the circumstances of death. Any human remains of a deceased person with a transmissible disease shall have an external, clearly visible tag indicating that the human remains are infected and, if known, the transmissible disease.

NOW THEREFORE, in consideration of the foregoing, the State Commissioner of Health hereby enforces the standards identified in Section 6502(B) of the Catastrophic Health Emergency Powers Act with the following:

1. All hospitals, long term care facilities, nursing homes, hospices, and related facilities must clearly label all decedents with positive confirmations of COVID-19 with all available information identifying the decedent and circumstances of death, including the indication of infection of COVID-19;

2. The labeling must occur by placing a clearly visible, external tab with the required identifying information on the remains prior to retrieval and disposal by funeral directors and funeral homes.
These standards are necessary to ensure the protection of persons who come into contact with, transport, and/or receive the decedents after they have been released from hospitals, long term care facilities, nursing homes and related facilities. Accordingly, failure to comply with the provisions of the Catastrophic Health Emergency Powers Act and the standards identified herein will result in the imposition of fines, penalties, and/or other remedies available to the Commissioner of Health under the provisions of the Public Health Code, 63 O.S. §§ 1-101, et seq., and elsewhere in law, including, but not limited to, possible suspension or revocation of facility license if applicable.

*These standards will be in effect and enforced throughout the duration of the catastrophic health emergency declared by executive order of the Governor of Oklahoma.*

OKLAHOMA STATE DEPARTMENT OF HEALTH

[Signature]

Gary Cox, J.D.
Commissioner, Oklahoma State Department of Health