

1 10A NCAC 41A .0212 is proposed for amendment under temporary procedures as follows:

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3 **10A NCAC 41A .0212 HANDLING AND TRANSPORTATION OF BODIES**

4 (a) Persons handling the body of any person who has died shall comply with the standard precautions for all patient
5 care published by the United States Centers for Disease Control and Prevention, which are hereby incorporated by
6 reference, including any subsequent amendments and editions, and available free of charge at:
7 <https://www.cdc.gov/infectioncontrol/basics/standard-precautions.html>.

8 ~~(a)~~(b) It shall be the duty of the ~~physician~~ physician, physician assistant, or nurse practitioner attending to any person
9 who dies and is known to be infected with HIV, plague, ~~or~~ hepatitis B, B, or COVID-19 or any person who dies and is
10 known or reasonably suspected to be infected with smallpox, rabies, severe acute respiratory syndrome (SARS), or
11 Jakob-Creutzfeldt to provide ~~written~~ written, verbal, or electronic notification to ~~all~~ individuals handling the body of
12 the proper precautions to prevent infection. This ~~written~~ written, verbal, or electronic notification shall be provided to
13 the funeral service director, funeral service worker, or body transporter ~~personnel~~ at the time the body is removed
14 from any hospital, nursing home, or other health care facility. When the patient dies in a location other than a health
15 care facility, the ~~attending physician~~ physician, physician assistant, or nurse practitioner shall notify the funeral service
16 director, funeral service worker, or body transporter ~~personnel~~ verbally of the precautions required as soon as the
17 ~~physician~~ physician, physician assistant, or nurse practitioner becomes aware of the death. These precautions are noted
18 in Paragraphs ~~(b)~~(d), (e), and ~~(e)~~(f) of this Rule. The duty to notify shall be considered met if performed by one of
19 the following individuals: the physician, physician assistant, or nurse practitioner attending to the person who died or
20 a designated representative of the physician, physician assistant, or nurse practitioner.

21 (c) It shall also be the duty of a medical examiner with jurisdiction pursuant to G.S. 130A-383 over the body of any
22 person who dies and is known to be infected with COVID-19 to provide written, verbal, or electronic notification to
23 the funeral service director, funeral service worker, or body transporter at the time the body is removed from medical
24 examiner custody of the proper precautions to prevent infection. These precautions are noted in Paragraph (f) of this
25 Rule. The duty to notify shall be considered met if performed by a designated representative of the medical examiner.

26 ~~(b)~~(d) The body of any person who died and is known or reasonably suspected to be infected with smallpox or severe
27 acute respiratory syndrome (SARS) or any person who died and is known to be infected with plague shall not be
28 embalmed. The body shall be enclosed in a strong, tightly sealed outer case which will prevent leakage or escape of
29 odors as soon as possible after death and before the body is removed from the hospital room, home, building, or other
30 premises where the death occurred. This case shall not be reopened except with the consent of the local health director.
31 Nothing in this Paragraph shall prohibit cremation.

32 ~~(e)~~(e) Persons handling the body of any person who died and is known to be infected with HIV or hepatitis B or any
33 person who died and is known or reasonably suspected to be infected with Jakob-Creutzfeldt or rabies shall be
34 provided ~~written~~ written, verbal, or electronic notification to observe blood and body fluid precautions.

35 (f) Persons handling the body of any person who died and is known to be infected with COVID-19 shall be provided
36 written, verbal, or electronic notification to observe the COVID-19 guidance for funeral home workers published by
37 the United States Centers for Disease Control and Prevention, which is hereby incorporated by reference, including

1 any subsequent amendments or editions, and available free of charge at: [https://www.cdc.gov/coronavirus/2019-](https://www.cdc.gov/coronavirus/2019-ncov/community/funeral-faqs.html)
2 [ncov/community/funeral-faqs.html](https://www.cdc.gov/coronavirus/2019-ncov/community/funeral-faqs.html).

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4 *History Note: Authority G.S. 130A-144; 130A-146;*
5 *Temporary Rule Eff. February 1, 1988, for a period of 180 days to expire on July 29, 1988;*
6 *Eff. March 1, 1988;*
7 *Recodified from 15A NCAC 19A .0204 Eff. June 11, 1991;*
8 *Temporary Amendment Eff. November 1, 2003;*
9 *Amended Eff. April 1, 2004;*
10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
11 *2018.*