

January 2026: Changes and additions highlighted in blue

State:	Alaska
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Inquiry 1: How long can I keep the body at home after death and under what conditions?

Alaska Stat. Ann. § 12.65.005. Duty to notify state medical examiner

- (a) Unless the person has reasonable grounds to believe that notice has already been given, a person who attends a death or has knowledge of a death, in addition to notifying a peace officer, shall immediately notify the state medical examiner when the death appears to have
- (1) been caused by unknown or criminal means, during the commission of a crime, or by suicide, accident, or poisoning;
 - (2) occurred under suspicious or unusual circumstances or occurred suddenly when the decedent was in apparent good health;
 - (3) been unattended by a practicing physician or occurred less than 24 hours after the deceased was admitted to a medical facility;
 - (4) been associated with a diagnostic or therapeutic procedure;
 - (5) resulted from a disease that constitutes a threat to public health;
 - (6) been caused by a disease, injury, or toxic agent resulting from employment;
 - (7) occurred in a jail or corrections facility owned or operated by the state or a political subdivision of the state or in a facility for the placement of persons in the custody or under the supervision of the state;
 - (8) occurred in a foster home;
 - (9) occurred in a mental institution or mental health treatment facility;
 - (10) occurred while the deceased was in the custody of, or was being taken into the custody of, the state or a political subdivision of the state or a public officer or agent of the state or a political subdivision of the state; or
 - (11) been of a child under 18 years of age or under the legal custody of the Department of Family and Community Services, subject to the jurisdiction of AS 47.10 or AS 47.12, unless the
 - (A) child's death resulted from a natural disease process and was medically expected; and
 - (B) the child was under supervised medical care during the 24 hours before the death.
- (b) A person who attends a death or has knowledge of a death occurring in circumstances other than those enumerated in (a) of this section may notify the state medical examiners of the death if, in the person's opinion, a death investigation under AS 12.65.020--12.65.025 may be appropriate.
- (c) The body of a person whose death has been or should be reported to the state medical examiner under this section may not be moved or otherwise disturbed without the permission of the state medical examiner.

Inquiry 2: Does my state require the body to be embalmed? Refrigerated?

Alaska Stat. Ann. § 18.05.040. Regulations

- (a) The commissioner shall adopt regulations consistent with existing law for ...
- (4) the transportation of dead bodies, except that the commissioner may not require that a dead body be embalmed unless the body is known to carry a communicable disease or embalment is otherwise required for the protection of the public health or for compliance with federal law;

Inquiry 3: What methods of disposition are legal in my state?

Alaska Stat. Ann. § 18.50.950. Definitions

“In this chapter ...

(9) “final disposition” means the burial, interment, cremation, or other disposition of a dead body or fetus; ...”

Alaska Stat. Ann. § 13.75.190. Definitions

“In this chapter ...

(3) “disposition” means disposition of a decedent's remains, including cremation, but does not include an anatomical gift; in this paragraph, “anatomical gift” has the meaning given in AS 13.52.390; ...”

Alaska Stat. Ann. § 13.52.390. Definitions

“In this chapter, unless the context otherwise requires ...

(4) “anatomical gift” means a donation of all or a part of a human body to take effect after the donor's death for the purpose of transplantation, therapy, research, or education; ...”

Alaska Stat. Ann. § 13.75.070. Prohibition of cremation; written instructions

A person may not authorize cremation for a decedent's remains if a decedent has left directions in a disposition document that the decedent does not wish to be cremated.

Inquiry 4: Do I have to let a funeral director or medical examiner carry out disposition?

Alaska Stat. Ann. § 08.42.020

(c) In the event the dead body is to be disposed of in a manner not requiring embalming, the department may issue a permit to an unlicensed person for the care and disposition of dead human bodies for compensation. This permit otherwise in no way licenses the holder to practice mortuary science.

Inquiry 5: What do I need to do to get a death certificate?

Alaska Stat. Ann. § 18.50.230. Death registration; disclosure for child support purposes

(a) A death certificate for each death that occurs in the state shall be filed with the local registrar of the registration district in which the death occurred within three days after death and before final disposition of the body or removal of the body from the state, except as provided by regulation in special problem cases. For the purpose of this section, if the place of death is unknown, a death certificate shall be filed in the registration district in which the dead body is found. When a death occurs on a moving conveyance a death certificate shall be filed in the registration district in which the dead body is first removed from the conveyance.

(b) The funeral director or person acting as the funeral director who first assumes custody of a dead body shall file the death certificate. The funeral director or the person acting as the funeral director shall obtain the personal data from the next of kin or the best qualified person or source available and the medical certification of cause of death from the person responsible for this information.

(c) The medical certification shall be completed and signed within 24 hours after death by the physician, the advanced practice registered nurse, or the physician assistant in charge of the patient's care for the illness or condition that resulted in death except when an official inquiry or inquest is required and except as provided by regulation in special problem cases.

(d) When a death occurs without medical attendance, or when official inquiry is required, the department shall provide by

regulation, in accordance with law, the responsibility for completing and signing the medical certification. This subsection is intended to include, among others, cases involving a medical examiner and cases involving presumption of death.

(e) To assist the Alaska Court System to remove the names of deceased persons from jury lists under AS 09.20.050(c), the state registrar of vital statistics shall forward to the administrative director of the Alaska Court System the names of persons for whom certificates of death were issued and reported to the registrar.

(f) A death certificate issued under this section must include the decedent's social security number, if ascertainable. Upon request, the registrar shall provide a decedent's social security number to the child support services agency created in AS 25.27.010, or the child support agency of another state, for child support purposes authorized under law.

Inquiry 6: What do I need to do to get a burial-transit permit? Is there a wait period before I can receive a burial-transit permit?

Alaska Stat. Ann. § 18.50.250. Permits

(a) Except as provided in (e) of this section, the funeral director or person acting as the funeral director who first assumes custody of a dead body or fetus shall obtain a burial-transit permit before final disposition or removal from the state of the body or fetus and within 72 hours after death, except as otherwise authorized by regulation for special problem cases.

(b) The local registrar of the registration district where the death occurred shall issue a burial-transit permit when a certificate of death or fetal death has been filed in accordance with this chapter, except as otherwise authorized by regulation in special problem cases.

(c) A burial-transit permit that accompanies a dead body or fetus brought into the state is authority for final disposition of the body or fetus in the state.

(d) A permit for disinterment and reinterment is required before disinterment of a dead body or fetus except as authorized by regulation or otherwise provided by law. Upon proper application the permit shall be issued by the local registrar of vital statistics in accordance with instructions of the state registrar.

(e) The state medical examiner shall obtain the burial-transit permit before a body is transported under AS 12.65.025(a)(2).

Inquiry 7: Personal Preference Statute

Alaska Stat. § 13.75.010

(a) A person may provide directions for the disposition of the person's remains by placing the directions in a disposition document. The directions may include or be limited to designating an agent to control the disposition of the person's remains.

(b) A disposition document must be signed by the person and acknowledged before a notary public, and contain the form and contents required by AS 13.75.030. A disposition document may be a separate document or it may be contained in another document, including a will or prepaid funeral or burial contract. The disposition document may be modified or revoked only by a subsequent disposition document that complies with this subsection.

Inquiry 8: Designated Agent Statute

Alaska Stat. § 13.75.020

Decedent may designate agent in a signed, notarized "disposition document" in substantially the following form:

DISPOSITION DOCUMENT

You can select Part 1, Part 2, or both, by completing the part(s) you select, including providing any signatures indicated. Part 3 contains general statements and a place for your signature. You must sign in front of a notary.

PART 1. APPOINTMENT OF AGENT TO CONTROL DISPOSITION OF REMAINS. If you appoint an agent, you and your agent must complete this part as indicated, and the agent must sign this part.

I,, being of sound mind, wilfully and voluntarily make known my desire that, on my death, the disposition of my remains shall be controlled by (name of agent first named below), and, with respect to that subject only, I appoint that person as my agent. All decisions made by my agent with respect to the disposition of my remains, including cremation, are binding.

ACCEPTANCE BY AGENT OF APPOINTMENT.

THE AGENT, AND EACH SUCCESSOR AGENT, BY ACCEPTING THIS APPOINTMENT, AGREES TO AND ASSUMES THE OBLIGATIONS PROVIDED IN THIS DOCUMENT. AN AGENT MAY SIGN AT ANY TIME, BUT AN AGENT'S AUTHORITY TO ACT IS NOT EFFECTIVE UNTIL THE AGENT SIGNS BELOW TO INDICATE THE ACCEPTANCE OF APPOINTMENT. ANY NUMBER OF AGENTS MAY SIGN, BUT ONLY THE SIGNATURE OF THE AGENT ACTING AT ANY TIME IS REQUIRED.

AGENT:

Name:

Address:

Telephone Number:

Signature Indicating Acceptance of Appointment:

Date of Signature:

SUCCESSORS:

If my agent dies, becomes legally disabled, resigns, or refuses to act, I appoint the following persons (each to act alone and successively, in the order named) to serve as my agent to control the disposition of my remains as authorized by this document:

(1) First Successor

Name:

Address:

Telephone Number:

Signature of First Successor Indicating Acceptance of Appointment:

Date of Signature:

(2) Second Successor

Name:

Address:

Telephone Number:

Signature of Second Successor Indicating Acceptance of Appointment:

Date of Signature:

PART 2. DIRECTIONS FOR THE DISPOSITION OF MY REMAINS.

Stated below are my directions for the disposition of my remains:

If the disposition of my remains is by cremation, then (pick one):

() I do not wish to allow any of my survivors the option of canceling my cremation and selecting alternative arrangements, regardless of whether my survivors consider a change to be appropriate.

() I wish to allow only the survivors I have designated below to have the option of canceling my cremation and selecting alternative arrangements, if they consider a change to be appropriate:

PART 3. GENERAL PROVISIONS AND SIGNATURE.

WHEN DIRECTIONS BECOME EFFECTIVE. The directions, including any appointment of an agent, in this disposition document become effective on my death.

REVOCATION OF PRIOR APPOINTMENTS. I revoke any prior appointment of any person to control the disposition of my remains.

SIGNATURE OF PERSON MAKING DISPOSITION DOCUMENT

Signature:

Date of signature:

(Notary acknowledgment of signature)

Inquiry 9: Right of Sepulcher Statute

Alaska Stat. § 13.75.020

(a) The following persons, in the priority listed, may control disposition of a decedent's remains:

- (1) a person designated in a disposition document as the disposition agent for the decedent;
- (2) a person serving, or nominated by the decedent in the decedent's will to serve, as the personal representative of the decedent's estate, if the person is acting according to the decedent's written instructions contained in the decedent's will;
- (3) the individual who was the spouse of the decedent at the time of the decedent's death;
- (4) the sole surviving competent adult child of the decedent, or, if there is more than one surviving competent adult child of the decedent, the majority of the surviving competent adult children; fewer than one-half of the surviving competent adult children may exercise the rights and duties of this section if these surviving adult children use reasonable efforts to notify all other surviving competent adult children that they are exercising these rights and duties and are not aware of any opposition by one-half or more of all of the surviving competent adult children;
- (5) the surviving competent parents of the decedent; if one of the surviving competent parents is absent, the remaining competent parent may exercise the rights and duties of this section after reasonable efforts have been unsuccessful in locating the absent surviving competent parent; in this paragraph, "absent" means a person who is unable to communicate decisions or participate in making decisions regarding the disposition of a decedent's remains personally, telephonically, or through electronic communication;
- (6) the surviving competent adult person in the next degrees of kindred, the two surviving competent adult persons of the same degree of kindred if there are two, or, if there are more than two surviving competent adult persons of the same degree of kindred, the majority of those persons; fewer than the majority of surviving competent adult persons of the same degree of kindred may exercise the rights and duties of this section if those persons use reasonable efforts to notify all other surviving competent adult persons of the same degree of kindred that they are exercising these rights and duties and are not aware of any opposition by one-half or more of all surviving competent adult persons of the same degree of kindred;
- (7) in the case of an indigent or another individual whose final disposition is the responsibility of the state or a municipality, a public administrator, medical examiner, coroner, or another public official charged with arranging the final disposition of the decedent; or
- (8) another person who is willing to assume legal and financial responsibility.

(b) If a person takes control of the disposition under (a) of this section, the person is liable for the reasonable costs of the disposition if the assets of the estate or other available assets are not adequate to pay the costs of the disposition.

(c) In this section,

- (1) "adult" means a person who is 18 years of age or older;
- (2) "competent" means a person who does not suffer from disabilities that prevent the person from managing the person's

property or affairs.