

January 2026: Changes and additions highlighted in blue

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

Wash. Rev. Code Ann. § 68.50.110

Except in cases of dissection provided for in RCW 68.50.100, and where human remains are rightfully carried through or removed from the state for the purpose of burial elsewhere, human remains lying within this state, and the remains of any dissected body, after dissection, must be decently buried, undergo cremation, alkaline hydrolysis, or natural organic reduction within a reasonable time after death.

**Inquiry 2:** Does my state require the body to be embalmed? If so, when?

Wash. Rev. Code Ann. § 18.39.215

(1)(a) No licensed embalmer shall embalm human remains without first having obtained authorization from the individual or individuals that have the right to control the disposition under RCW 68.50.160.

(b) The funeral director or embalmer shall inform the family member or representative of the deceased that embalming is not required by state law, except that embalming is required under certain conditions as determined by rule by the state board of health.

(2)(a) Any licensee authorized to dispose of human remains shall refrigerate or embalm the human remains upon receipt of the human remains. However, subsection (1) of this section and RCW 68.50.108 shall be complied with before human remains are embalmed. Upon written authorization of the proper state or local authority, the provisions of this subsection may be waived for a specified period of time.

(b) Violation of this subsection is a gross misdemeanor.

**Inquiry 3:** What methods of disposition are legal in my state? **Burial, cremation, alkaline hydrolysis, or natural organic reduction**

Washington law mentions burial, cremation, entombment, alkaline hydrolysis, natural organic reduction, donation to science, and removal from the state.

**Inquiry 4:** Are there any circumstances under which I would be required to wait before final disposition?

There are no statutes or regulations that address this question.

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

Wash. Rev. Code Ann. § 70.58A.200

- (1)(a) Reports of death and fetal death must comply with the requirements of this section.
- (b) For the purposes of this section, “death” includes “fetal death” as defined in RCW 70.58A.010.
- (2) A complete report of death must be filed with the local registrar in the local health jurisdiction where the death occurred for each death that occurs in this state. Except for circumstances covered by subsection (7) of this section, the report must be filed within five calendar days after the death or finding of human remains and prior to final disposition of the human remains as required by this section.
  - (a) If the place of death is unknown and the human remains are found in state prior to final disposition, the death must be filed in state and the place where the human remains were found is the place of death.
  - (b) When death occurs in a moving conveyance within or outside the United States and the human remains are first removed from the conveyance in state, the death must be filed in state and the place of death is the place where the remains were removed from the moving conveyance.
  - (c) In all other cases, the place where death is pronounced is the place where death occurred.
  - (d) An approximate date of death may be used if date of death is unknown. If the date cannot be determined by approximation, the date of death must be the date the human remains were found.
- (3) If the death occurred with medical attendance, a funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 shall:
  - (a) Obtain and enter personal data on the report of death about the decedent from the person best qualified to provide the information;
  - (b) Provide the report of death to the medical certifier within two calendar days after the death or finding of human remains;
  - (c) File the completed report of death with the local registrar; and
  - (d) Obtain a burial-transit permit prior to the disposition of the human remains as required in RCW 70.58A.210.
- (4) The medical certifier shall:
  - (a) Attest to the cause, date, and time of death; and
  - (b) Return the report of death to the funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 within two calendar days.
- (5) The report of death may be completed by another individual qualified to be a medical certifier as defined in RCW 70.58A.010 who has access to the medical history of the decedent when:
  - (a) The medical certifier is absent or unable to attest to the cause, date, and time of death; or
  - (b) The death occurred due to natural causes, and the medical certifier gives approval.
- (6) If the death occurred without medical attendance, the funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 shall provide the report of death to the coroner, medical examiner, or local health officer as allowed by (a) of this subsection.

- (a) If the death occurred due to natural causes, the coroner, medical examiner, or local health officer shall determine whether to certify the report of death. If the coroner, medical examiner, or local health officer decides to certify the report of death, the person certifying the report shall:
- (i) Attest to the manner, cause, and date of death without holding an inquest or performing an autopsy or postmortem, based on statements of relatives, persons in attendance during the last sickness, persons present at the time of death, or other persons having adequate knowledge of the facts;
  - (ii) Note that there was no medical attendance at the time of death; and
  - (iii) Return the report of death to the funeral home within two calendar days.
- (b) If the death appears to be the result of unlawful or unnatural causes, the coroner or medical examiner shall:
- (i) Attest to the cause, place, and date of death;
  - (ii) Note that there was no medical attendance at the time of death;
  - (iii) Note when the cause of death is pending investigation; and
  - (iv) Return the report of death to the funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 within two calendar days.
- (7) When there is no funeral director, funeral establishment, or person having the right to control the disposition of human remains under chapter 68.50 RCW, the coroner, medical examiner, or local health officer shall file the completed report of death with the local registrar as required by subsection (2) of this section.
- (8) When a coroner or medical examiner determines that there is sufficient circumstantial evidence to indicate that an individual has died in the county or in waters contiguous to the county, and that it is unlikely that the body will be recovered, the coroner or medical examiner shall file a report of death, including the cause, place, and date of death, to the extent possible.
- (9) The coroner or medical examiner in a county in which a decedent was last known to be alive may file a report of death with the local registrar when the county in which the presumed death occurred cannot be determined with certainty. The coroner or medical examiner shall file a report of death, including the cause, place, and date of death, to the extent possible.
- (10) The coroner or medical examiner having jurisdiction may release information contained in a report of death according to RCW 68.50.300.
- (11) The local registrar shall:
- (a) Review filed reports of death to ensure completion in accordance with this chapter;
  - (b) Request missing information or corrections;
  - (c) Ensure issuance of the burial-transit permit as required under RCW 70.58A.210;
  - (d) Register a report of death with the department if it has been completed and submitted in accordance with this section.
- (12) A medical certifier, coroner, medical examiner, or local health officer shall submit an affidavit of correction to the state registrar to amend the report of death within five calendar days of receipt of an autopsy result or other information that completes or amends the cause of death from that originally filed with the department.

(13) The department may require a medical certifier, coroner, medical examiner, or local health officer to provide additional or clarifying information to properly code and classify cause of death.

**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?

Wash. Rev. Code Ann. § 70.58A.210

- (1)(a) Reports of death and fetal death must comply with the requirements of this section.
- (b) For the purposes of this section, “death” includes “fetal death” as defined in RCW 70.58A.010.
- (2) If a report of death is completed and filed in accordance with this chapter, the local registrar shall issue a burial-transit permit or disinterment permit to the funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160.
- (3) A person may not provide for final disposition of human remains until the following have occurred:
  - (a) The report of death has been registered in accordance with RCW 70.58A.200; and
  - (b) The funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 has obtained a burial-transit permit authorizing final disposition.
- (4) A funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 shall:
  - (a) Deliver the burial-transit permit to the person in charge of the funeral establishment licensed under chapter 18.39 RCW, crematory with a permit or endorsement under RCW 68.05.175, or cemetery authority as defined in RCW 68.04.190 before interring the human remains; or
  - (b) Attach the burial-transit permit to the container holding the human remains when shipped by a transportation company.
- (5) Final disposition of human remains must be completed in accordance with chapter 68.50 RCW.
- (6) A person in charge of a funeral establishment licensed under chapter 18.39 RCW or cemetery authority as defined in RCW 68.04.190:
  - (a) May not allow the final disposition of human remains unless accompanied by a burial-transit permit;
  - (b) Shall indicate on the burial-transit permit the date and type of final disposition;
  - (c) Shall return all completed and signed or electronically approved burial-transit permits to the local registrar for the county in which the death occurred within ten days of final disposition;
  - (d) Shall keep a record of all human remains disposed of on the premises, including the:
    - (i) Name of the deceased individual;
    - (ii) Place of death;
    - (iii) Date of disposition; and
    - (iv) Name and address of the funeral director, funeral establishment, or other person having the right to control the disposition of the human remains under RCW 68.50.160.

(7) When there is no person in charge of the place of final disposition, the funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 shall write across the face of the permit the words “no person in charge.”

(8) A funeral director, funeral establishment, or person having the right to control the disposition of the human remains under RCW 68.50.160 must obtain a disinterment permit from the local registrar to disinter human remains or a burial-transit permit from the local registrar to reinter human remains.

(9) A person may not bring into or transport within this state; inter, deposit in a vault, grave, or tomb; or cremate or otherwise dispose of the human remains of any person whose death occurred outside the state, unless the human remains are accompanied by a burial-transit permit or other document issued in accordance with the laws in force where the death occurred. A burial-transit permit is not required for the spreading of cremated remains in accordance with the laws regulating the scattering of cremated remains in state, federal, and international lands or water.

(10) A funeral director or funeral establishment licensed under chapter 18.39 RCW, or a funeral establishment licensed in Oregon or Idaho, may remove human remains from the local health jurisdiction where the death occurred to another local health jurisdiction or Oregon or Idaho without having obtained a burial-transit permit if the funeral director or funeral establishment:

(a) Has been issued a certificate of removal registration by the director of the department of licensing; and

(b) Initiates a report of death with the local registrar where the death occurred.

#### **Inquiry 7: Personal Preference Statute**

##### **Wash. Rev. Code Ann. § 68.50.160**

(1) A person has the right to control the disposition of his or her own remains without the predeath or postdeath consent of another person. A valid written document expressing the decedent's wishes regarding the place or method of disposition of his or her remains, signed by the decedent in the presence of a witness, is sufficient legal authorization for the procedures to be accomplished.

(2) Prearrangements that are prepaid, or filed with a licensed funeral establishment or cemetery authority, under RCW 18.39.280 through 18.39.345 and chapter 68.46 RCW are not subject to cancellation or substantial revision by survivors. Absent actual knowledge of contrary legal authorization under this section, a licensed funeral establishment or cemetery authority may not be held criminally nor civilly liable for acting upon such prearrangements.

#### **Inquiry 8: Designated Agent Statute**

Wash. Rev. Code Ann. § 68.50.160

A person may appoint a designated agent “through a written document signed and dated by the decedent in the presence of a witness. The direction of the designated agent is sufficient to direct the type, place, and method of disposition

**Inquiry 9: Right of Sepulcher Statute**

Wash. Rev. Code Ann. § 68.50.160

(3) If the decedent has not made a prearrangement as set forth in subsection (2) of this section or the costs of executing the decedent's wishes regarding the disposition of the decedent's remains exceeds a reasonable amount or directions have not been given by the decedent, the right to control the disposition of the remains of a deceased person vests in, and the duty of disposition and the liability for the reasonable cost of preparation, care, and disposition of such remains devolves upon the following in the order named:

(a) The person designated by the decedent as authorized to direct disposition as listed on the decedent's United States department of defense record of emergency data, DD form 93, or its successor form, if the decedent died while serving in military service as described in 10 U.S.C. Sec. 1481(a) (1)-(8) in any branch of the United States armed forces, United States reserve forces, or national guard;

(b) The designated agent of the decedent as directed through a written document signed and dated by the decedent in the presence of a witness. The direction of the designated agent is sufficient to direct the type, place, and method of disposition;

(c) The surviving spouse or state registered domestic partner;

(d) The majority of the surviving adult children of the decedent;

(e) The surviving parents of the decedent;

(f) The majority of the surviving siblings of the decedent;

(g) A court-appointed guardian for the person at the time of the person's death.

(4) If any person to whom the right of control has vested pursuant to subsection (3) of this section has been arrested or charged with first or second degree murder or first degree manslaughter in connection with the decedent's death, the right of control is relinquished and passed on in accordance with subsection (3) of this section.

(5) If a cemetery authority as defined in RCW 68.04.190 or a funeral establishment licensed under chapter 18.39 RCW has made a good faith effort to locate the person cited in subsection (3)(a) through (g) of this section or the legal representative of the decedent's estate, the cemetery authority or funeral establishment has the right to rely on an authority to bury or make final disposition of the human remains, executed by the most responsible party available, and the cemetery authority or funeral establishment may not be held criminally or civilly liable for burying or performing final disposition of the human remains. In the event any government agency or charitable organization provides the funds for the disposition of any human remains, the cemetery authority, alkaline hydrolysis, natural organic reduction facility, or funeral establishment may not be held criminally or civilly liable for making final disposition of the human remains.

(6) The liability for the reasonable cost of preparation, care, and disposition devolves jointly and severally upon all kin of the decedent in the same degree of kindred, in the order listed in subsection (3) of this section, and upon the estate of the decedent.