

# How To Care For Your Own Dead in Vermont

*This document used to live on the website of the Vermont Department of Health, Agency of Human Services. This information appears to no longer be available through the state. Please check other links and numbers.*

## Caring for Your Own

Families in Vermont may care for their own dead [1973 Assistant Attorney General opinion] and this includes transporting the deceased, burial on private property, and/or cremation. Vermont law does not require embalming, but you should consider weather and reasonable planning so that disposition is carried out in a timely manner.

If you've been caring for someone with a communicable disease such as Hepatitis or AIDS, the same precautions (latex gloves, for example) you took during the care apply after death. No extraordinary measures are necessary. If death occurs from a rarer infectious disease such as meningitis or a tropical fever, you should consult the Vermont Department of Health's Infectious Epidemiology Unit at 1-888-588-7781. Immediate burial or direct cremation may be recommended in such cases.

## Preliminary Report of Death

Vermont deaths are reported and registered through an electronic system (EDRS); however, a family who does not involve a funeral director can report a death using a **paper process**. The doctor who last cared for the deceased, or the local medical examiner if the death was unexpected, is responsible for completing the death certificate. The doctor will provide you with a two page form called the **Preliminary Report of Death (PROD)**. [Click here for the PROD form.](#)

One side of the form will contain the "Medical Certification" completed and signed by the doctor. The "Demographic Information" side requesting information about the decedent and the disposition of the body must be completed (no blank spaces) and signed by the next-of-kin or an authorized agent. (Vermont allows an individual to authorize an agent to carry out disposition of his/her body [18 V.S.A § 9702]).

The Vital Records Office at the Vermont Department of Health can answer any questions regarding completion of the PROD; call 800-439-5008

Once both sides of the PROD are complete, you must forward a copy to the Vital Records Office within forty-eight hours of the death. The original form should be kept and used for obtaining permits.

The PROD can be submitted by fax to (802) 651-1787, or it can be mailed or delivered to:  
Vital Records  
Vermont Department of Health  
108 Cherry Street  
P.O. Box 70  
Burlington, VT 05402-0070

The Vital Records Office will enter information from the PROD into the Department of Health's Electronic Death Registration System (EDRS), and the death certificate will be made available to the town clerk in the town where the death occurred and to the town clerk in the decedent's town of residence. In most cases the death certificate will be available within one business day of receipt by Vital Records; however, if a town is not enrolled as a user of the EDRS, a hard copy will be mailed to the town from Vital Records. Therefore, you are encouraged to call the

town clerk prior to traveling to get a copy of the certificate.

### **Burial Transit**

If you plan to transport the deceased yourself, then you must file a burial transit permit with the town clerk where the body is to be buried or cremated [Title 18, 5201]. The purpose is to track the disposition of the body to ensure that the town knows where the deceased is laid to rest. Be sure you have a completed Preliminary Report of Death and a burial transit permit before moving a body.

In the case of a sudden death over a weekend or holiday, you may have to be prepared to hold the body until you can obtain all the required signatures. (Depending on the time of year, you may need to plan for a temperature-controlled environment.)

You will find it easier to move a body from one location to another if you have a stretcher or casket, or even a cardboard casket. Families typically use a station wagon, van or pick-up truck for body transport.

If the body will be transported out-of-state for burial or cremation, be sure to call ahead to the out-of-state cemetery or crematory to check on any unique requirements, and to ensure they'll accept a body from a family.

### **Burial Transit Permit**

The burial transit permit is available from the town clerk's office or their designated deputy registrars. Typically, a deputy registrar is a local funeral home director. (You should call ahead to inquire.) The permit must be signed by the town clerk, a deputy (often a funeral director), or a law enforcement officer in the town where the death occurred, before the body is moved from that town.

Because death may occur on a weekend, you should ask the town clerk ahead of time how to pick up a burial transit permit on weekends, or who in your town serves as an on-call deputy.

### **Home Burial**

Some towns may have local ordinances regarding home burials, so you should consult with the town's attorney or local zoning authorities.

If you live outside the village or city limits, you can usually create a family burial ground on your own land. The site should be 150 feet from a water supply (100 feet from a drilled well) and 25 feet from a power line. Avoid areas with a high water table. It's also a good idea to bury at least 20 feet from the setback on your property.

Draw a map of the land showing the location and have it recorded with your deed at the town clerk's office for a permanent record and easement on the land (there's usually a small fee to pay). If you need advice on where to locate the burial grounds, call your town's health officer. After burial, sign the burial transit permit and file it with the town clerk.

Nothing can guarantee your descendants will have the right to visit burial sites on private property. In practice, there is no evidence that home burial grounds lower property value, and there have been no reports of new owners denying families access to burial grounds. In fact, family cemeteries are an American tradition, and many Vermonters are proud to own such land.