

# How to Have a Home Funeral in NH

By Lee Webster

## Planning Ahead Is a Must

According to New Hampshire RSA 290, families may care for their own dead entirely without hiring professionals. Many crematories and cemeteries have policies that preclude accepting delivery of the body by the family, so finding a crematory operator or cemetery sexton who will honor your desire to do the bulk of the work is crucial. Gaining clarity around the details, and making connections when planning ahead will serve you well when the time comes to implement your plan.

NHFREA can provide you with:

- funeral planning guides
  - death certificate information
  - task lists for families
  - advance directives
  - presenters to speak to groups of any size on a variety of topics
- <http://www.nhfuneral.org/Presentations.html>

*If you have any questions, call NHFREA at 603.236.9495 or email at [NHFREA@gmail.com](mailto:NHFREA@gmail.com)*



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## Authority to Make Arrangements

### *Recommendations:*

- Complete and file all advance directives, including Living Will and Durable Power of Attorney for Health Care (DPOAH).
- Assign a family member, friend, or other designated agent to carry out all funeral arrangements.

Immediate family members or a designated agent have the right to handle all aspects of after-death care. This means that families can legally care for and transport a body, keep it in their home for a viewing period, and take it for final disposition themselves, without hiring a licensed funeral director, except for any details the family wishes to have done by a funeral home.

According to NH RSA 290:16, the authority to make all arrangements follows this order: a) spouse; b) an adult son or daughter; c) a parent; d) an adult brother or sister; e-k) other relations. If there is no spouse and there are multiple adult children, signatures from the majority or all will be required.

In the event that the decedent and/or the family prefer that someone outside the family oversee funeral arrangements and complete the necessary paperwork, they may appoint a designated agent to carry out their wishes on their behalf. This is accomplished by signing a Special Power of Attorney for Designated Agent form. Limitations and responsibilities are described in that document.

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## Legal Matters

Under New Hampshire law RSA 290:1, a death certificate may be filed by the deceased's next of kin, a designated agent, or a funeral director. This must be accomplished electronically within 36 hours of death, and followed with the original paperwork within 10 days. If the death occurs during a period when the Town Clerk's office is closed, such as holidays and weekends, and the family is acting as their own funeral director, either the Town Clerk in the town or city of record where the death occurred must agree to help file, or a funeral director must be hired specifically to file electronically.

### ***Designating an Agent***

Individuals choosing to have someone who is not a family member or a professional funeral director must do so in writing prior to death.

### ***Death Certificate:***

- A completed and signed death certificate must be obtained from the physician, hospice nurse or other qualified authority who pronounces the death, authorizes cause of death, and completes demographic information using information provided by the family;
- The next-of-kin or the designated agent will sign acting as the Funeral Director;
- The form must be filled out as specified, with no cross-outs or white-outs;
- Every box must be completed, including NA or N/A;
- Make a copy for your records;
- The death certificate must be filed electronically by the Town Clerk in the town where the death occurs, by a funeral director who has direct access if the Town Clerk is unavailable, or in person at the Office of Vital Records, Division of Secretary of State, in Concord within 36 hours; electronic filing must be followed by physical paperwork within 10 days;

- Depending on the day of death, the paperwork may have to wait until after the weekend or a holiday, when offices are open; or your Town Clerk, having been apprised of an impending death, may agree to help you file during off-hours;
- The final disposition must be reported to the Town Clerk within 6 days with completed paperwork; and
- Certified copies will be available on demand at the Town Clerk's office at a price of \$15 for the first and \$10 for each subsequent copy; needed for Social Security, veteran's benefits, banks, insurance, credit cards, credit report companies, and other purposes.

### ***Transport/Transit/Burial Permit:***

This form is generated when the death certificate is filed electronically by the Town Clerk and enables the family (if named on the form) to transport the body home, to a church or other space, and to the crematory or cemetery. The crematory or cemetery authority will sign the form, which must then be filed with the Town. Make copies for your records.

### ***Authorization to Cremate***

In New Hampshire, **there is a 48-hour waiting period required between the death and a cremation**, and a medical examiner must examine and complete a cremation certificate (\$60 fee sent in after the cremation). Call ahead to see if your NH crematory arranges for the ME in their facility.

This form must be signed by the next-of-kin, giving the crematory permission to cremate the body. A Medical Examiner is required for release of the body for cremation, burial at sea, body donation, or removal to another state for cremation. Bring a copy of the death certificate and transit permit to the crematory with the body to furnish the appropriate info.

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### Transportation

Any family member or friend may transport a body in a closed vehicle large enough to accommodate the body in a prone position. Copies of the Transport/Transit/Burial permit issued by the Office of Vital Records must accompany the deceased.



### Body Care

Families may bring a body home after a death in hospital or other institution, or even from the coroner's office, once the death certificate has been filed and transport/Transit/Burial permit has been acquired.

### Bathing, Dressing, and Casketing

A body may be bathed discreetly by covering with a sheet and washing with clear water, or with lavender or other essential oils added. "Disinfection" is not required, though participants may choose to practice universal precautions if there is any concern. After the washing, dressing can be accomplished by cutting garments up the back and tucking them under the body. Whether the body remains on a bed or table and later transferred to a casket, or is placed there after bathing, it may take four or five people to help move it, as a dead body feels surprisingly heavy.

### Cooling

A body may be kept at home until the family is ready to cremate or bury; usually one to three days is sufficient. Refrigeration is not necessary: a body will keep for that period without odors or significant changes in a 70-degree room if it has been properly cleaned and prepared. Reducing the room's temperature with air conditioning if possible, or placing and periodically replacing dry ice or Techni-ice under and over the body, will help cool the body.

Embalming is **not** required, and is performed by funeral directors in order to simulate a sleep state and present an attractive "memory picture" for a funeral home visitation, not to preserve the body indefinitely or avoid decomposition.

### Viewings, Funerals and Memorials

Families may opt to invite family and friends to view the deceased in their home, and may hold a funeral service there. Clergy, musicians, and others may participate at home or in any other location. Memorial services are typically held after the body has been buried or cremated.



Photo courtesy of Claire Turnham



## Notifications and Benefits

### Newspapers

Families may file obituaries and memorial notices. A newspaper may ask to see a death certificate and many newspapers charge a fee for publishing an obituary. Go to the NHFA website page Find It Fast, NH Newspaper Obituary Guide, <http://www.nhfuneral.org/Find-it-Fast.html> to learn about pricing and requirements.

### Military and Veterans Benefits

Contact the Department of Veterans Affairs for information on benefits, or visit <http://www.cem.va.gov/> for online information. Among other things, you may be entitled to a U.S. flag from the Post Office, to be used at a memorial service, by presenting a certified copy of the death certificate and proof of military service. You may also qualify for a free gravesite in a VA cemetery. Toll-free: 800-827-1000.

### Social Security Benefits

To obtain Social Security Administration information, go to <http://www.socialsecurity.gov/>

The office in Littleton  
<https://secure.ssa.gov/apps6z/FOLO/Controller> can be called at:

Local Number	(603) 444-2945
Toll-Free	1-800-772-1213
TTY	(603) 444-4028

Check out  
<http://www.funeralwise.com/learn/arrange/benefits>  
for more info on **Social Security** and **VA benefits**.

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## People Who Should Know You Want Home Death Care

### Doctors

If the primary care physician and staff know that the family chooses to keep their deceased home prior to disposition of the body, they may be willing to help

by filling out the medical portion of the death certificate in a more timely manner.

### Hospice

If hospice is involved, be sure to let them know that you are planning to keep your loved one at home well before the death occurs so they can help make the aftercare smooth for all. Often hospice nurses and aides will be willing to assist in bathing and dressing.

### Clergy

If the dying person is part of a spiritual community, that leader can be an invaluable contributor to the experience. You may ask him or her to attend at any point in the dying process, or to officiate in public or private ceremonies.



### Other family members

Home death care is a group effort. By informing your family and friends about this decision, each member will have time to feel out their own comfort level and develop ways in which they feel comfortable to participate.

### Funeral Directors

If you choose to have any services performed by a funeral home, you are advised to discuss their part ahead of time. You can call for prices or pick up a copy of their "General Price List," which they must furnish on request, as required by law. A comparison survey of participating NH funeral



directors is available on the NHFREA website. This listing also includes green product carriers, additional services, and all contact information.

### **Town Clerk**

Be sure to check in beforehand with the Town Clerk in the town where it is anticipated the death will occur to ensure his or her cooperation with filing the death certificate. It is every Town Clerk's job to know how to file electronically, but many have not had the opportunity, so help them to be prepared. The NH Office of Vital Statistics is ready to help if needed.



### **Containers for Cremation or Burial**

Crematories require that the body be delivered in a rigid, combustible container, whether a fancy casket, a simple pine or plywood box, or a cardboard "alternative container."

The container must have any precious items removed, and the body must be cleared of jewelry, pacemakers or other metal medical devices. Decoration (drawings, writing, other simple embellishments) of a plain or cardboard casket is therapeutic for family and friends, and acceptable to both crematories and cemeteries.

All funeral goods, including cardboard caskets, pine boxes, urns, shrouds and other containers and plans are available online or for purchase at most funeral homes. Families can also build or procure a casket custom made by local woodworkers and cannot be charged extra by anyone for doing so.

If burying, ask the cemetery official what the casket requirements are, including whether a concrete vault is required by the by-laws. No state requires vaults, only cemeteries.



### **Home Burial**

Home burial is legal in New Hampshire, with a few exceptions according to local zoning requirements, so check before proceeding (the only one we know of is in the City of Keene but there could be more).

Burial on home property creates a family cemetery where only relatives may be interred. If there is an existing burial ground on the property, owners may continue the tradition by burying there.

The deed must include the location of the burial site upon transfer indicating future public access indicated. Burials must be located 50' from known water sources and state highways, and 100' from any dwelling, school, store, or business. Optimum burial depth is 3.5 – 4 feet deep. Displaced soil mounded on top creates a double smell barrier to keep out animals and rodents that will settle within a couple months.

The burial/transport/transit permit obtained when the death certificate is filed must be completed and returned to the Town Clerk's office within 6 days of the burial.

No additional permits or permissions are required.



*Home Funeral and Home Burial in Holderness, NH*