

Order Adopting Rule

**Minnesota Department of Health
Health Regulation Division**

Adoption of Rules Governing the Disposition of the Dead, Natural Organic Reduction, and Transfer Care Specialists, Minnesota Rules, Chapter 4610; Revisor's ID Number R-04482, CAH Docket Number 23-9000-41364

BACKGROUND INFORMATION

1. The Minnesota Department of Health has complied with all notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law.
2. The department received 4 written comments and submissions on the rules. No persons requested a public hearing. Therefore, there are not 25 or more requests for a public hearing.
3. The department received 5 requests for notice of submission to the Court of Administrative Hearings.
4. Following its proposal of the rule on December 29, 2025, MDH made five minor changes to its proposed rules, to clarify the meaning and intent of the rules and ensure that licensees can comply with the rules without undue burden. These modifications are within the scope of the notice of intent to adopt, which covers “natural organic reduction facilities, transfer care specialists, and regulations for funeral establishments and crematories.” They clearly do not change the intent or rationale for the rules, and the impact of those changes add greater clarity to a licensee’s responsibilities under the rules. Accordingly, these modifications do not render the rule substantially different.
 - a. The language in Minn. R. 4610.2815, Record Keeping, is modified to remove the phrase “full legal name” and to add “first and last name” of a decedent on required records and an allowance for an exception in cases where a decedent’s identity isn’t immediately known, consistent with industry practice.
 - b. The language in Minn. R. 4610.2816, Flush Bowl with Water Connect, is modified to clarify and differentiate a Flush Bowl from any other kind of drain in a preparation room, removing the unclear use of the term “direct drain” as initially proposed.

- c. The language in Minn. R. 4610.2817, subpart 2, Ventilation Exhaust Fans, is modified to remove the words “or covered” to clarify that a vent or grate can be used.
 - d. The language in Minn R. 4610.2856, subpart 3, Donating Compost, is modified to clarify protections for the public that the donated compost rule prohibits a natural organic reduction facility from knowingly donating reduced, human remains to an organization that is growing food for “sale or donation” for human consumption.
 - e. The Language in Minn. R. 4610.2858, subpart 2(b), Vessel Requirements, is modified to remove the word “middle,” to allow for a thermometer to take the temperature of the interior of the vessel without dictating the precise location inside the vessel, consistent with industry practice.
5. Upon the recommendation of the Administrative Law Judge, MDH made a minor additional change to its proposed rules to clarify the meaning and intent of the rules and ensure that licensees can comply with the rules without undue burden. These modifications are within the scope of the notice of intent to adopt and do not change the intent or rationale for the rules. Accordingly, these modifications do not render the rule substantially different.
- a. The language in Minn. R. 4610.2830, Maintenance, Crematories, and 4610.2835, Maintenance, Alkaline Hydrolysis, is modified to add “that conforms with manufacturer’s specifications” to provide clearer, more objective language for the standard, as recommended by the administrative law judge.
6. The rules are needed and reasonable.

ORDER

The above-named rules, in the form published in the State Register on December 29, 2025, with the modifications as indicated in the Revisor’s draft, file number AR-4882, dated July 30, 2026 are adopted under my authority in Statutes, section 149A.03, and 144.12, subd. 1(3).



Wendy Underwood Deputy
Commissioner

Dated: 10/1/26