

No. \_\_\_\_\_

# East Texas Crematory, Inc.

Coin \_\_\_\_\_

PO Box 609 ~ Longview, Texas 75606 ~ 903-663-0310 ~ FAX 1-888-502-6301

**NOTICE:** This is a legal document. It contains important provisions concerning cremation. Cremation is irreversible. Read this entire document carefully before signing. Charges are only for those items that you select or that are required. If we are required by law to use any items, we will explain the reasons in writing below.

## AUTHORIZATION FOR CREMATION AND DISPOSITION

Effective Date: January 1, 2020

Name of Deceased (hereinafter referred to as the "Decedent"): \_\_\_\_\_

Sex: \_\_\_\_\_ Age: \_\_\_\_\_ Approximate Weight of Decedent: \_\_\_\_\_

Date of Death: \_\_\_\_\_ Time of Death: \_\_\_\_\_ am / pm County of Death: \_\_\_\_\_

Name of Certifier: \_\_\_\_\_ Title (Circle): Physician Medical Examiner Justice of the Peace

**NOTE: A JP/ME AUTHORIZATION IS REQUIRED ON ALL JP / ME CASES (or any case to be cremated within 48 hours of the Time of Death)**

### Authority of Authorizing Agent

I/We, the undersigned, certify, warrant and represent that I/we have the full legal right and authority, and know of no living person who has a superior or equal priority right, to authorize the cremation, processing and disposition of the remains of the Decedent. If another person has a superior or equal priority right to authorize cremation, I/we have made all reasonable efforts but failed to contact that person and believe the person would not object to the cremation; and I/we agree to indemnify and hold harmless the funeral establishment and the crematory establishment for any liability arising from performing the cremation without the person's authorization.

I/We hereby request and authorize \_\_\_\_\_ (hereinafter referred to as the "Funeral Home") to take possession of and make arrangements for the cremation of the Decedent at East Texas Crematory (hereinafter referred to as the "Crematory"). I/We understand that the services and obligations of the Crematory shall be fulfilled when the cremated remains of the Decedent are returned to the possession and custody of the Funeral Home or other party as designated below. I/We assume responsibility for the disposition of the cremated remains and I/we hereby authorize the Funeral Home to arrange for the disposition of the cremated remains of the Decedent as follows:

\_\_\_\_\_ Description of urn or container selected: \_\_\_\_\_ Suitable for shipping: \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ Release to (authorized agent or other person): \_\_\_\_\_

\_\_\_\_\_ Ship via United States Postal Service to: Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

\_\_\_\_\_ Additional Charges / Fees: \_\_\_\_\_

Manner of permanent disposition of cremated remains, if known: \_\_\_\_\_

### Funeral Service/Viewing

Has the authorizing agent arranged for a viewing or a service with the Decedent present before cremation: \_\_\_\_\_ Yes \_\_\_\_\_ No

If so, the date and time of the viewing or service: (date) \_\_\_\_\_ (time) \_\_\_\_\_

### ALL PACEMAKERS/RADIOACTIVE IMPLANTS MUST BE REMOVED PRIOR TO RELEASING DECEDENT TO THE CREMATORY.

To the best of your knowledge, did the Decedent's remains contain a pacemaker, radioactive implant or other device that could be harmful to the crematory? \_\_\_\_\_ Yes \_\_\_\_\_ No

The following list contains the all existing devices (including mechanical, radioactive implants and prosthetic devices) implanted in or attached to the Decedent, which should be removed prior to cremation: \_\_\_\_\_

I/We have instructed the funeral home to remove or arrange for the removal of these devices and to properly dispose of them prior to transporting the Decedent to the Crematory.

### Valuables

As the casket or container will not normally be opened by Crematory (to remove valuables, to allow for final viewing, or for any other reason), arrangements **must** be made with the funeral home to remove such possessions or valuables prior to the time that the Decedent is transported to Crematory

Please list any items of value to be delivered to the Crematory along with the human remains and include instructions for handling of the items: \_\_\_\_\_

### Time of Cremation

Crematory is authorized to perform cremation upon receipt of the human remains, at its discretion and according to its own time schedule, as work permits, without obtaining further authorization or instructions.

### Limitation of Liability

As the Authorizing Agent(s), I/we agree to indemnify, defend, and hold harmless Crematory, its officers, agents and employees, of and from all claims, demands, causes or causes of action, and suits of every kind, nature and description, in law or equity, including any legal fees, costs and expenses of litigation, arising as a result of, based upon or connected with this Authorization, including the failure to properly identify the Decedent or the human remains transmitted to the Crematory, the processing, shipping and final disposition of the Decedent's cremated remains, the failure to take possession of or make proper arrangements for the final disposition of the cremated remains, and damage due to the harmful or explosive implants, claims brought by any other person(s) claiming the right to control the disposition of the Decedent's cremated remains, or any other action performed by Crematory, its officers, agents, or employees pursuant to this Authorization, excepting only acts of willful negligence. The obligations of the Crematory shall be limited to the cremation of the Decedent and the disposition of the Decedent's cremated remains as authorized on this Authorization for Cremation and Disposition. No warranties, expressed or implied, are made and damages shall be limited to the amount of the cremation fee paid.

By executing this Cremation Authorization, as Authorizing Agent(s) the undersigned warrant that all representations and statements contained on this Authorization are true and correct, that these statements were made to induce the Crematory to cremate the human remains of the Decedent, and that the undersigned have read and understand the provisions contained within this Authorization. (Including information on the back of this authorization.)

Executed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**NAME:** \_\_\_\_\_ **SIGNATURE:** \_\_\_\_\_

Relation to the Decedent: \_\_\_\_\_ Phone No. ( \_\_\_\_\_ ) \_\_\_\_\_

Address: \_\_\_\_\_

**NAME:** \_\_\_\_\_ **SIGNATURE:** \_\_\_\_\_

Relation to the Decedent: \_\_\_\_\_ Phone No. ( \_\_\_\_\_ ) \_\_\_\_\_

Address: \_\_\_\_\_

**NAME OF FUNERAL DIRECTOR:** \_\_\_\_\_ **SIGNATURE:** \_\_\_\_\_

Name and Address of Funeral Home: \_\_\_\_\_

#### **"Crematory": Policies, Procedures And Requirements**

The cremation, processing and disposition of the remains of the Decedent shall be performed in accordance with all governing laws, and the policies, procedures and requirements of the Crematory and the designated funeral home. This document describes many of the policies and requirements of the Crematory and is incorporated in our *Authorization for Cremation and Disposition*. We suggest that you take time to read this document carefully before executing the Authorization.

#### **Caskets / Containers**

Crematory may not accept metal, plastic, or fiberglass caskets. All wooden caskets and alternative containers must meet the following standards:

- 1) be composed of materials suitable for cremation;
- 2) be resistant to leakage or spillage;
- 3) be sufficient for handling with ease; and
- 4) be able to provide protection for the health and safety of crematory personnel.

Many caskets that are comprised primarily of combustible material also contain some exterior parts, e.g. decorative handles or rails, that are not combustible and that may cause damage to the cremation equipment. Crematory, at its sole discretion, reserves the right to remove these noncombustible materials prior to cremation and to discard them with similar materials from other cremation and other refuse in a non-recoverable manner.

#### **Pacemakers, Prosthesis And Radioactive Devices**

Pacemakers and prostheses, as well as any other mechanical or radioactive devices or implants in the Decedent, may create a hazardous condition when placed in the cremation chamber. It is imperative that pacemakers and radioactive devices be removed prior to cremation. If the funeral home is not notified about such devices and implants, and not instructed to remove them, then the person(s) authorizing the cremation will be responsible for any damages caused to Crematory or any crematory personnel by such devices or implants. All metallic implants surviving the cremation process will be disposed of in a landfill or recycled at the sole discretion of the crematory. Any proceeds derived from the recycling will be donated to a charitable organization at the sole discretion of the crematory.

#### **The Cremation Process**

All cremations are performed individually.

- A. Cremation is performed by placing the Decedent in a casket or other container and then placing the casket / container into a cremation chamber where they will be totally and irreversibly destroyed by prolonged exposure to intense heat or other direct flames. During the cremation process, it may be necessary to open the cremation chamber and reposition the Decedent in order to facilitate a complete and thorough cremation. Through the use of a suitable fuel, incineration of the container and contents is accomplished and all substances are consumed or driven off, except bone fragments (calcium compounds) and metal (*including dental gold or silver and other non-human materials*) as the temperature is not sufficient to consume them.
- B. **Due to the nature of the cremation process any personal possessions or valuable materials, such as dental gold or jewelry (as well as human body prosthesis or dental bridgework), that are left with the Decedent and not removed from the casket or container prior to the cremation will be destroyed or if not destroyed, will be disposed of by Crematory. All metallic implants surviving the cremation process will be disposed of in a landfill or recycled at the sole discretion of the crematory. Any proceeds derived from the recycling will be donated to a charitable organization at the sole discretion of the crematory. As the casket or container will not normally be opened by Crematory (to remove valuables, to allow for final viewing, or for any other reason), arrangements must be made with the funeral home to remove such possessions or valuables prior to the time that the Decedent is transported to Crematory.**
- C. Following a cooling period the cremated remains, which will normally weigh several pounds in the case of an average size adult, are then swept or raked from the cremation chamber. Crematory makes a reasonable effort to remove all the cremated remains from the cremation chamber, but it is impossible to remove all of them, as some dust and other residue from the process are always left behind. In addition, while every effort will be made to avoid commingling, inadvertent or incidental commingling of minute particles of cremated remains of previous cremations is a possibility.
- D. After the cremated remains are removed from the cremation chamber, all non-combustible materials (insofar as possible), such as personal effects, bridgework, and materials from the casket or container, such as hinges, latches, nails, etc. will be separated and removed from the human bone fragments by visible or magnetic selection and will be disposed of by Crematory with similar materials from other cremations in a non-recoverable manner.
- E. When the cremated remains are removed from the cremation chamber, the skeletal remains often contain recognizable bone fragments. Unless otherwise specified, after the bone fragments have been separated from the other materials, they will then be mechanically processed (pulverized). This process of crushing or grinding may cause incidental commingling of the remains with the residue from the processing of previously cremated remains. These granulated particles of unidentifiable dimensions will be virtually unrecognizable as human remains. Crematory makes a reasonable effort to remove all the cremated remains from the processing equipment, but it is impossible to remove all of them as some dust and other residue from the process are always left behind. Due to the nature of ventilation equipment used, trace elements of dust may be vented from the processing area into the exterior atmosphere. In addition, while every effort will be made to avoid commingling, inadvertent or incidental commingling of minute particles of cremated remains of previous cremations is a possibility.

#### **Urns / Containers**

After the cremated remains have been processed, they will be placed in the designated urn or container. Crematory will make a reasonable effort to put all of the cremated remains in the urn or container, with the exception of dust or other residue that may remain on the processing equipment. These cremated remains usually weigh several pounds and usually measure in excess of 160 to 200 cubic inches. In the event the urn or container provided is insufficient to accommodate all of the cremated remains, the excess will be placed in a separate receptacle. The separate receptacle will be kept with the primary receptacle and handled according to the disposition instructions on the *Authorization for Cremation and Disposition*.

#### **Scattering**

If the option selected for disposition includes scattering, then the cremated remains will not be recoverable. If scattering is performed in a common area, then the cremated remains may be commingled with the particles of other cremated remains that have previously been scattered.

#### **Disposition of Cremated Remains**

**NOTICE TO THE AUTHORIZING AGENT:** The authorizing agent assumes responsibility for the disposition of the cremated remains. The crematory may release to the authorizing agent, in person, the cremated remains of the deceased person, ship the cremated remains to the authorizing agent if the agent authorizes shipment and provides a shipping address on the authorization form, or dispose of the cremated remains in accordance with Sec. 716.052, Texas Health and Safety Code, not earlier than the 121<sup>st</sup> day following the date of cremation if the cremated remains have not been claimed by the authorizing agent.

**Initials of Authorizing Agent:** \_\_\_\_\_

**\*\*\*\*\* THE FOLLOWING MUST BE COMPLETED BY THE FUNERAL DIRECTOR \*\*\*\*\***

#### **Identification Responsibilities Of Funeral Director Or Establishment (Please Check One)**

\_\_\_\_\_ The human remains delivered to the crematory establishment were positively identified as the deceased person listed on the front of this cremation authorization form by the authorizing agent or a representative of the authorizing agent delegated as provided by Section 716.053.

\_\_\_\_\_ The authorizing agent or a representative of the agent delegated as provided by Section 716.053 waived the right of identification.

**INITIALS OF FUNERAL DIRECTOR:** \_\_\_\_\_

#### **Texas Funeral Service Commission**

Unresolved complaints may be directed to the Texas Funeral Service Commission at the following address:  
Texas Funeral Service Commission; P. O. Box 12217; Capital Station; Austin, Texas 78711 ~ or by telephone: (512)936-2474 or (888)667-4881.