

Mississippi Home Burial

RESPECT-HONOR-RESPONSIBILITY

IN MEMORY OF MY BROTHER PHILLIP: SEPT 3RD 1958-JAN. 9TH, 2014

*"Once upon a time, ,not so long ago, Home Burial was as normal as taking a Bath"
by DCC*

This site is about home burial, family burial, green burial or burying your own dead. [\(click for rights in Mississippi\)](#) It has a focus on code and regulation resources. This information is free. I will not ask or accept any monies from you.. The information belongs to you and I am only pointing towards it. Most of the information comes from your public servants and paid for with your tax money. Always respect public servants, they are there to help but you should know and protect your rights.

I may quote or paste information for emphasis but always follow the official source. Things change so always check for revisions

This information is for any Mississippian that has a desire to bury a member of their family in the traditional manner of their forefathers, in whole or in part.

I claim absolutely no special degree or training in home burial beyond what my (your) great grandfather processed. Our family has planned and carried out the burial of love ones in our private family cemetery over the years and find it more healing and compassionate to honor our deceased love ones by fore filling this family responsibility with the upmost respect.

Below are links of interest pertaining to Mississippi laws and regulations governing the disposition of human bodies and burial.

Here is the spoon but you will have to feed yourself

REPORT TO SOCIAL SECURITY FORM Once this form is filed you lose access to decedent's

Bank , debit cards, medicare.gov and ssa.gov accounts until you prove you are entitled.

Although the form says funeral director, you may take it to local SS office. They will confirm it.

Mississippi laws called MS Code of 1972 are officially logged and distributed by Nexus Lexis on the behalf of the State.Use above link to look up any law (code) made reference to in the following regulations to better understand a regulation.

Mississippi State Health Department issues regulations pertaining to death and custody of human bodies. This does not include regulations for Cemeteries. See below.

Regulations regarding death start at bottom of page 30 of this document

Handbook on reporting and registering a death

Regulation of fetal death

Mississippi State Registrar's (Judy Moulder) office officially registers the death.

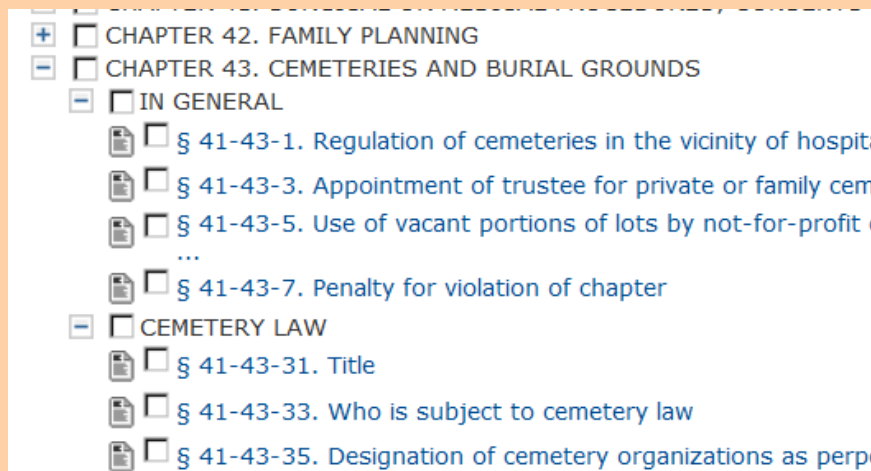
Vital Records Judy Moulder (601) 576-7961

Website for Vital Records

Mississippi Cemetery Law contained in MS Code listed above or [click here..](#)

Title 41 (PUBLIC HEALTH)>>>>Chapter 43>>>>>General

Family cemeteries or family burial grounds are not subject to MS Cemetery Law



!Although your burial ground or cemetery may not be subject to MS Cemetery Law you need to be aware of the General provisions that do apply.

§ 41-43-33. Who is subject to cemetery law

"Any person, partnership, corporation or other organization organized or engaging in business under the laws of the State of Mississippi, whether for profit or not-for-profit, or wheresoever organized and doing business in the State of Mississippi, of owning, maintaining or operating a cemetery, providing lots or other interment space therein for the remains of human bodies, **except** such organizations and cemeteries that are affiliated with or owned by churches or religious societies, established fraternal societies, municipalities, other political subdivisions of the State of Mississippi, or **family cemeteries or family burial grounds**, and community cemeteries that provide burial lots at no charge, or sell burial lots to the public, shall be subject to the provisions of Section 41-43-31 et seq.

From and after July 1, 2009, all new cemeteries must be perpetual care cemeteries **unless exempt** under the provisions of this section.

NOTES and RESOURCES

[Funeral Ethics Organization explains your consumer rights. A must read. Click](#)

Inform the Hospice care providers and the coroner's office in advance, whenever possible, that you plan for a home burial without or in part- the services of a funeral home. Always be professional, respectful and realize home burial may not be a familiar concept to them. The reason for this is obvious. Ask them to seek counsel from the regulatory bodies, the State Health Department and State Registrar in Jackson if they are uncertain of your rights to your love one.

Most requirements such as using caskets, vaults, the shape size or structure of monuments, restrictions on where you buy and who does the work are rules of a particular cemetery or city. They are not mandated by the state. Always know these things before buying a plot. Most of these rules are for the convenience of the cemetery and not for you or the deceased.

Rule 4.7.1.

*"Mississippi statutes and regulations **do not require** the use of vaults, caskets or embalming, except as provided in [Rule 50](#). **The Board of Health does not license or otherwise regulate cemeteries or crematoriums"***

Family Cemeteries are created by [submitting a petition to the board of supervisors](#) and must meet the requirements set forth in the General provisions of state code. Namely the 500 yards rule. Most city limits have ordinances prohibiting the formation of Family Cemeteries. ***Please consider reclaiming a Family Cemetery by learning your family history and lineage. Many Family Cemeteries remain inactive and unattended.***

[Coffin-Toe Pincher](#). Build a traditional Toe Pincher Coffin with love and honor.

Use your favorite search engine to search key words " *home burial*, " *green burial*", " *family burial*", for sites and videos of actual techniques for caring for the deceased. It is not rocket science, your great grand dad knew how and he didn't know how to spell "school" much less attend one.

[Crossings.net](#) is an excellent resource for caring for your love one and planning your home funeral. Although the manual is provided free on the [resource page](#), I ask you to donate so they may continue the good work. Read the whole site and you will agree it is well worth the donation. I am not affiliated in any manner.

Mississippi regulations gives only **forty eight hours** to bury your love one unless you use refrigeration or embalming.

[Hospice care techniques](#) are a good guide on how to wash, dress and prepare your love one. Just replace "comfort" with love and respect. Remember you are the acting funeral director and must carry out your responsibilities as such. Delegate tasks to family members and friends and give direction.

[Common Book Of Prayer](#) A good source for prayers and committal service.

You may volunteer your time and knowledge as a friend or neighbor but you can not charge to act as a funeral director in any aspect. It is unlawful. Besides, it defeats the [purpose](#) of home burial.

Realize that not all families have the resources to provide a home burial for their love ones and must fore fill their responsibilities by hiring professionals. Never judge, just be thankful and KNOW not all circumstances are the same.

I am not delusional ,in today's world of a nomadic detached populous, funeral homes serve a vital service and are here to stay. We can only hope our right to care for our own will be preserved and protected.

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FAQ



Rights are soon lost when the regulated industry is more knowledgeable about the regulations than the regulator.
Know your rights, protect your rights, and keep your rights.

Frequently Asked Questions

Who regulates the burial of human remains?

The Mississippi State Health Department **issues** regulations pertaining to death and custody of human bodies. This does not include regulations for Cemeteries. Family Cemeteries and burial grounds are not regulated by cemetery law. Local laws do apply. (County, City and local) Cemetery Rules are plentiful and mostly self-serving. I encourage you to reclaim or form your own family burial grounds via petition to board of supervisors.

What if Local Officials refuse to give me possession of my love one?

(First be calm and respectful) Hopefully you have read this site and know your rights to your love one. If the death is not of "public interest" meaning under investigation or a health hazard (infectious) and the reason given is "I don't think you can legally bury them yourself" ask them to call the health department in Jackson, contact the Registrar's office in Jackson and hand the local official a copy of the regulations. Most times the person that answers the phone will be unaware of the laws and you must insist on speaking to more senior people. If all else fails, tell the funeral home you wish to bury your own love one and do not intend on paying for any service. (You can request partial service if desired) Sadly, all funeral home owners know you have the right to bury your own dead, whereas, not all coroners are aware of the regulations.

The funeral home most often will inform the Coroner of the regulations that allow you to bury your own dead. To avoid confusion, if possible, inform the coroner's office and hospice workers in advance of your intentions.

What if they take the body anyway?

(First be calm and respectful)

This did happen to us once. We had not made our intent known to the coroner prior and the drivers for the funeral home were misinformed by the coroner as to our rights. A couple of hours later, the owner of the funeral home called my brother and told him there had been a bit of confusion. I assume, once the drivers had discussed it, the owner, knowing the regulations, made the call. They had cleaned the body only and thought it best if we brought clothes before we claimed the body. They dressed the body and sold us a casket a bit above cost, since we had not been prepared with our own. Yes, washing the body is part of the respect, healing and acceptance process but we managed just fine. This is why letting your intent be known, if possible is important, so the time of confusion is not at death.

Will people think I am cheap for burying my own dead?

No more than you think they are wasteful or dodging personal responsibility. Most people no longer have the resources to bury their own dead and must hire out this responsibility. If you have a fine automobile, do you call a cab? If you feel cheap, you can write a check to your local funeral home and make a sizable donation until you feel better. No, you can spend as much or as little as you desire on a home funeral. If you have a desire to spend, pay everyone's airfare and hotel.