



February 10, 2026

**BFD 26-01: Completion and Registration of a
Death Certificate prior to Disposition**

Dear Funeral Director,

This letter serves as an important reminder of your responsibilities under Articles 34 and 41 of New York State Public Health Law and 10 NYCRR Part 77 regarding the proper completion and registration of the death certificate prior to any form of disposition.

Under [Public Health Law §4140\(1\)](#): “*The death of each person who has died in this state shall be registered immediately and not later than seventy-two hours after death or the finding of a dead human body, by filing with the registrar of the district in which the death occurred or the body was found a certificate of such death, in a manner and format as prescribed by the commissioner, which shall include through electronic means in accordance with [Public Health Law §4148](#) (electronic death registration system, EDRS)”;*

and under [Public Health Law §4142\(d\)](#): “*prior to the disposition of the remains, file the certificate of death with the registrar of the district in which the death occurred as provided in Public Health Law §4140.*”

This means that in New York State the death certificate must be fully certified and registered with the local registrar before a burial, cremation, entombment, removal from the state, or any other disposition can occur. However, if you have not been notified of the death by the next of kin or other person who controls the disposition of the remains according to [Public Health Law §4201](#), in a timely manner, you **must** include an explanation in the comments section located in electronic death registration system (EDRS) and provide details as to why the registration has been delayed past the seventy two hour threshold prior to filing the death certificate with the local registrar.

Proceeding with disposition without registration constitutes a violation of both Public Health Law Article 34 and 10 NYCRR Part 77.

The key legal obligations that you are required to follow are:

1. All demographic and personal information shall be accurately entered on the death certificate.
2. The medical portion shall be obtained promptly from the certifying practitioner or medical examiner and shall list the correct place of death for filing purposes.
3. The death certificate shall be filed electronically through the electronic death registration system (EDRS) or physically with the registrar when permitted/necessary.

4. The certificate shall be officially registered, and a disposition permit shall be lawfully issued before completing any final disposition.

Failure to comply constitutes a violation of:

- Public Health Law Sections 4140–4142 – Filing and registration of death certificates
- 10 NYCRR Part 35 – Requirements for registration of vital records
- 10 NYCRR Part 77 – Professional conduct requirements for licensed funeral directors

Examples of failures to properly complete and register the death certification prior to any form of disposition may include but are not limited to:

- arranging or performing disposition without a registered death certificate;
- transporting remains to crematory or cemetery without a valid disposition permit;
- delays caused by incomplete or inaccurate certificates.
- not explaining a delay in filing in the comments section for EDRS

These actions may result in disciplinary action, including administrative penalties, licensing sanctions, or referral from the Bureau of Vital Statistics to the Bureau of Funeral Directing for enforcement.

Proper registration of the death certificate protects families, ensures legal accuracy, and maintains the integrity of vital records while protecting your license.

Thank you for your attention to this essential public health responsibility. If you have questions or require clarification, please contact your local registrar, the Bureau of Vital Records at edrs.health.ny.gov, or the Bureau of Funeral Directing at funeral@health.ny.gov.

Sincerely,

Stephanie Gilman
Director, Bureau of Funeral Directing