



VITAL RECORDS GUIDANCE FOR TOWN CLERKS

DEATH REGISTRATION

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Updated July 1, 2021

18 V.S.A. Chapter 107: Deaths, Burials, Autopsies

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For information on printing certified and noncertified copies of death certificates,
please refer to the VRIMS User's Guide for Town Clerks:

https://www.healthvermont.gov/sites/default/files/documents/pdf/HS_VR_VRIMSUserGuideTownClerks.pdf

I. REGISTRATION OF DEATH CERTIFICATE

Per 18 V.S.A. § 5202, when a death occurs in Vermont, the licensed health care professional who last attended the deceased person is responsible for completing the medical portion of the death certificate and submitting it to the Vermont Department of Health **Electronic Death Registration System (EDRS)** within 24 hours after the death. Licensed health care professionals who can certify a death are:

- Physicians
- Physician assistants
- Advanced practice registered nurses

In most cases, a funeral director is delegated the responsibility for completing the demographic portion of the death certificate and submitting it to the Vermont Department of Health via EDRS. When families choose not to work directly with a funeral home or crematory, or when the funeral director or medical certifier are not enrolled users of the EDRS, the death can be reported to Vital Records using the Preliminary Report of Death (PROD) form which is available on the Vermont Department of Health website:

https://www.healthvermont.gov/sites/default/files/documents/2016/12/STAT_VR_PROD2012.pdf

There are two pages for the PROD:

- PROD for demographic information – to be completed by funeral director, or by a family member if no funeral home is contracted.
 - Families not using a funeral home will need to fax the demographic PROD to the Vital Records Office at 802-651-1787
- PROD for medical certification – to be completed by the licensed medical professional

When both the medical and demographic sections of the death record have been submitted to Vital Records, the death certificate will then be registered in the EDRS.

- The morning after a death certificate is registered in the EDRS that record will be listed in an automated email to the related towns indicating the record has been registered.
- If your town is maintaining paper copies, you can print a file copy directly from the Vital Records Issuance Management System (VRIMS) which will reflect the date the record was registered, electronic signature of the State Registrar, and State File Number.

II. ISSUING A BURIAL TRANSIT PERMIT

Per 18 V.S.A. § 5201 (a), a body cannot be moved or disposed of without a Burial Transit Permit (BTP). BTPs can only be issued by authorized persons indicated below after a death certificate has been registered, or with administrative copies of both the medical and demographic PROD. Those who can issue BTPs are:

- A funeral home or crematory (licensed to do removals in Vermont) working with the family of the deceased.
- A law enforcement officer.
- A town clerk, a county clerk, or a deputy clerk for the municipality or unorganized town or gore in which the body is located.
- A deputy registrar of your town may issue the BTP if your town office is closed. The deputy registrar (see section IV) will sign and date the permit and is responsible for bringing a copy of it to your office, along with the documentation presented by the

requestor, on the next business day.

A record of the BTP shall be sent to the town/city clerk of the town/city where the death occurred, and the original permit shall be filed in the town where the disposition occurs **18 V.S.A. § 5201**.

A. Prior to Issuing the Burial Transit Permit: Documentation Review

Before a BTP is issued, documentation should be presented to ensure the death has been reported to the Vital Records Office. Acceptable documentation includes:

- An informational copy of the death certificate accessed by a town clerk from VRIMS, or
- An administrative copy of the death certificate printed from the EDRS, or
- A completed Preliminary Report of Death (PROD) - copy or original is acceptable, when the Death Certificate produced by the EDRS is not yet available. **The completed PROD should be faxed to the Vital Records Office so that it can be entered in EDRS to create the death certificate.**

A completed PROD consists of two pages: The Demographic Information page and the Medical Certification page. Both pages must be completed and signed. When the funeral director or licensed health care provider has submitted information through the EDRS, but the other is not an enrolled user, one page of the PROD will appear as a report generated from the EDRS, with an "OFFICIAL COPY" watermark across the page.

NOTE: RETAIN THE PROD IN A TEMPORARY FILE. DO NOT ISSUE CERTIFIED COPIES OF A PROD. DESTROY THE PROD WHEN YOU RECEIVE THE EMAIL NOTIFICATION THAT THE DEATH CERTIFICATE HAS BEEN REGISTERED IN THE EDRS.

Please check the following items on the PROD before issuing a BTP:

- **Name Known to Physician (at top of page)**
If the PROD is provided using two separate forms the Name Known to Physician field should be complete and match on both pages.
- **Decedent's Legal Name --Item 1a**
The PROD should have the full name of the deceased.
- **City or Town of Death -- Item 21b**
The town of death must be your town. If it is not your town, do not issue a BTP.
- **Signature of Funeral Director or Authorized Person -- Item 24**
This item must be signed by the individual responsible for making the arrangements for the disposition of the body. If there is no signature in this item, refuse to accept the PROD as documentation for issuance of a BTP.
- **Cause of Death -- Item 28**
Do not accept a PROD as documentation for issuing a BTP when the cause of death section is blank. If this item is not known, "Pending" should be entered in this section by the medical certifier.
- **Certifier's Signature -- Item 43a**
This block must be signed by the physician, physician assistant or advanced practice registered nurse certifying the death. If there is no signature in this block, or if the signature is of someone who is not authorized to certify deaths (R.N., L.N.A., E.M.T), do not accept the PROD as documentation for issuing a BTP.

B. Completing the Burial Transit Permit

Complete items 1-7 (from information on the PROD, or death certificate, if available). Check appropriate box for disposition of the body and complete **ONLY** that section:

- **Section A: Temporary Storage or Donation in Vermont**
Complete this section when body will be stored in Vermont for the winter months awaiting spring burial or when the body will be donated to a Vermont institution.
- **Section B: Removal from Temporary Storage/Place of Donation or Disinterment**
Refer to page 6 for instructions regarding removal from temporary storage (i.e., spring burials after winter death).
Refer to sections V and VI for instructions regarding disinterment.
- **Section C: Cremation**
Complete this section when body is cremated in Vermont.
- **Section D: Burial or Entombment**
Complete this section if the body will be buried, above or below ground, in Vermont.
- **Section D: Removal from State**
Complete this section if the body will be disposed of outside of Vermont regardless of disposition method.

In the appropriate section, sign under "Permission is given to dispose of said body...", type the name of your town/city, the date and deliver it to the funeral director or authorized person. The funeral director or authorized person will deliver the permit to the sexton of the cemetery, crematorium or place of donation. The official receiving the body will then complete the appropriate boxes and file it in the office of the clerk of the town/city where final disposition occurs.

III. FILING A BURIAL TRANSIT PERMIT

A. When you receive a Burial Transit Permit (BTP) for filing:

- Assign a local file number in the "Permit No." line in the upper right corner.
- Prepare and file a general index card and make a volume entry for the BTP.

18 V.S.A. § 5008.

B. Burial when death occurred out-of-state:

- If a body from another state is to be buried or entombed in your town, the out of state permit accompanying the body is sufficient authority for burial. **18 V.S.A. § 5209.** However, if there is no permit accompanying the body, the clerk shall issue a BTP when presented with a copy of the death certificate.

IV. DEPUTY REGISTRARS

Each year, around Town Meeting Day, you will receive an e-mail from the Vital Records office asking you to identify the names of your Deputy Registrars. Under Vermont law, towns must appoint one or more Deputy Registrars to issue Burial Transit Permit's when your town office is closed. *"The clerk of the municipality shall provide for issuing burial-transit permits when the clerks' offices are closed. The municipal clerk shall appoint one or more deputies for this purpose and record the name of the deputy or deputies appointed in the municipal records and notify the Commissioner of Health of the names and residences of the deputy or deputies appointed."* **18 V.S.A. §5201 (a)(1).**

V. REMOVAL OF BODY FROM TEMPORARY STORAGE

When a body has been temporarily stored in your town, you may be asked to issue a BTP when permanent burial arrangements have been made. You may issue a permit to the funeral director or the individual taking responsibility for the body. **18 V.S.A. § 5213.** However, in most cases, the permits will be issued by the funeral director and forwarded to your office for filing.

A. IF BODY IS TO BE BURIED IN ANOTHER TOWN (Two Copies Required):

- Remove original BTP from book where filed.
- Make a copy on official white copy paper (4-hole, 8^{1/2} x 11” size).
- Return original BTP to book where filed.
- On the copy, check the box for Section B (Removal from Temporary Storage) and complete Section B (Clerk's signature allows body to be removed from temporary storage).
- Make a copy of this BTP on official white copy paper (4-hole, 8^{1/2} x 11” size).
- On this new copy, check box for Section D (Burial or Entombment). Complete Section D. (Clerk's signature allows body to be moved out of town.)
- Give both copies to funeral director or authorized person.
- Funeral director gives both copies to sexton of cemetery where body is stored.
- Sexton of your cemetery signs and dates both BTP's in Section B.
- Sexton of your cemetery keeps copy with only Section B completed and files it with the town clerk during the first week of the following month. **18 V.S.A. § 5215.**
- The BTP that has Section D completed accompanies the body to the town of burial (either in or out of state) and is given to the sexton of that cemetery.
- Sexton completes burial information in Section D and files with clerk of the town where cemetery is located.

B. IF THE BODY WILL BE BURIED IN THE SAME TOWN:

- Remove original BTP from book where filed.
- Make a copy on official white copy paper (4-hole, 8^{1/2} x 11” size).
- Return original BTP to book where filed.

- Complete Sections B and D to allow removal from the cemetery vault and burial within same town.
- Give BTP to funeral director.
- Sexton receives BTP, completes appropriate sections. If body is buried in same cemetery, one sexton completes both sections. If body is buried in another cemetery, the sexton of the cemetery where the body is temporarily stored signs Section B and the sexton of the cemetery of final disposition completes Section D and files with clerk of the town where cemetery is located.

NOTE: DO NOT ISSUE A BTP UNLESS THE DECEASED WAS IN TEMPORARY STORAGE. IF THE BODY HAS ALREADY BEEN BURIED FOLLOW THE PROCEDURES IN SECTION VI.

VI. DISINTERMENT

When a body is to be removed from a cemetery or moved from one part of a cemetery and placed in another part of the same cemetery, a BTP is required from the clerk of the town in which the body is interred or entombed.

The applicant for a BTP for disinterment/re-interment is required to take certain steps before beginning the relocation of the body. Refer to **18 V.S.A. § 5212** and **§ 5212(a)** for instructions. The following is a brief review of the procedure:

An individual wishing to disinter a body that is buried in your town will apply for a BTP.

- Before you issue the permit, the applicant must publish "notice of intent" to move the body for 2 consecutive weeks in a newspaper of general circulation in the town where the body is buried.
- An objection may be filed in probate court within 30 days of the date the notice was last published. A copy of the complaint will be filed with you (the town where the body is presently buried). If an objection is made, you may issue the permit **ONLY** upon receipt of a court order.
- If no objection is made, you may issue a BTP 45 days after notice was last published.

A BURIAL TRANSIT PERMIT FOR DISINTERMENT/REINTERMENT MAY BE ISSUED WITHOUT PUBLICATION IN THE FOLLOWING SITUATIONS:

- When body has been placed in temporary storage (i.e., spring burials after winter death). See section V. **REMOVAL OF BODY FROM TEMPORARY STORAGE.**
- When federal, state, county or municipal officials are carrying out official duties.
- When all persons entitled to object (spouse, child, parent, and sibling) give written permission to relocate remains.

Assuming all legalities have been upheld, refer to Section V. REMOVAL OF BODY FROM TEMPORARY STORAGE.

VII. DISPOSITION OF FETAL REMAINS

Occasionally you may receive a Burial Transit Disposition Permit for Fetal Remains. This permit is issued by the hospital or physician when the "Report of Fetal Death" is prepared following a fetal death and does not require a town clerk signature. The permit is filed in the same book as other BTP's. **18 V.S.A. § 5224(b)**. If you happen to receive a "Report of Fetal Death," **send it to the Vital Records office immediately.**

VIII. CREMATION

Before a body may be cremated, a cremation permit must be obtained from the medical examiner. This permit is a special release indicating that no further examination or judicial inquiry concerning the body is necessary. The cremation permit is delivered to the crematorium.

Cremation is considered final disposition of a body. The BTP is filed in the town where the crematory is located. The family may take the ashes and dispose of them in any manner not contrary to law. **18 V.S.A. § 5319(d)**. The intent of the BTP is to assure that a body with potential to transmit disease is properly disposed of. Cremains do not pose a threat to public health.

If cremated remains are buried, they are still considered Human Remains and the process for disinterment, as outlined in Section VI above, needs to be followed.

IX. PRIVATE BURIAL PLOTS

A family may choose to intern a body on their own property. When they do this, they are creating a private burial plot. A private burial plot is permitted under Vermont law if no health hazard is created. **18 V.S.A. § 5319(a)**. Burial in a private plot still requires both a death certificate and BTP. The family must have the proposed site approved by the town board of health or health officer. Information about private burial plots is posted on the Secretary of State's website <https://www.sec.state.vt.us>.

X. CORRECTING OR AMENDING A DEATH CERTIFICATE

Within six months after the date of death, the certifying licensed health care professional, medical examiner, or funeral director (or authorized person if no funeral director) may submit to the State Registrar an application to CORRECT a death certificate.

After six months from the date of death, any alteration of a death certificate shall be deemed an AMENDMENT. Upon application submitted to the State Registrar by a person specified above, the State Registrar may amend the death certificate if the application and relevant evidence, if any, show that the amendment is warranted. Changes or additions to the medical certification section may be made only upon request from a medical examiner or the licensed health care provider who certified the record. **18 V.S.A. § 5202a.**

Once a correction or amendment is processed in EDRS, the updated record is reflected in VRIMS. Details about a correction are not displayed on the death certificate but an amended certificate will indicate the word "Amended" and the date of amendment.

XI. AUTOMATIC EMAIL NOTIFICATION TO TOWN CLERKS

Pursuant to 18 V.S.A. §5000 (c)(2), related to births and deaths registered **on and after July 1, 2019**, the day after a death certificate is registered, corrected, or amended an automated email which includes the registrant's name, date of event and state file number will be sent to the town of death and to the town of residence.

Email notifications to Town Clerks will be sent to the email address listed in the directory maintained by the Secretary of State. The directory, entitled "Excel Spreadsheet with Town Clerk Contact Information" is located here: <https://www.sec.state.vt.us/elections/town-clerks-election-workers.aspx>

It is the responsibility of each Town Clerk to make sure their email address is current and up to date in this directory. To edit your email address, you will need to contact the Secretary of State's Office.

The email notification will be a generic message that reads:

"This is to inform you that the following certificates associated with your town have been Registered, Corrected, or Amended..."

The email notification will include a **Reason for Inclusion** column with one of the following labels:

"Registered" -A new death was registered in the Statewide Registration System.

"Corrected" – The death certificate was corrected upon application to the Vital Records Office.

"Amended" - The death certificate was amended.

"Administrative Correction" - The State Registrar corrected an administrative error made during the processing of a correction or amendment.