



# CHAIN OF CUSTODY COMPLIANCE IN FUNERAL SERVICE

**ILLINOIS EDITION**

## DISCLAIMER

This guide reflects MorTrack's interpretation of Illinois chain of custody requirements — the Integrity in Death Care Act (SB2643, Public Act 103-0907), codified at 225 ILCS 41/15-56 and 410 ILCS 18/35(o), together with the implementing rules at 68 Ill. Adm. Code 1250.240 — and is provided for educational purposes only. **It is not legal advice.** Laws and enforcement practices may change, and compliance requirements can vary by situation.

For official guidance or legal interpretation, funeral professionals should contact the Illinois Department of Financial and Professional Regulation (IDFPR) or consult with legal counsel. MorTrack assumes no liability for decisions made based on this information.

**Statutory text quoted in this guide is current as of September 2026.** Where this guide describes a practice rather than a legal requirement, it says so explicitly.

## WHAT CHANGED IN THIS EDITION

- **The December 2025 implementing rules are now included.** 68 Ill. Adm. Code 1250.240 took effect on December 10, 2025 and is now the section an IDFPR inspector works from. It adds a five-year retention duty and defined recording points that were not in the first edition.
- **Citations are given to the codified law** — 225 ILCS 41/15-56 and 410 ILCS 18/35(o) — not only to the bill number.
- **Penalty figures are corrected.** The Act's own monetary penalty is a disciplinary fine of up to \$10,000 per violation; it sets no criminal dollar amount.
- **The inspection deadline is corrected** to 10 *business* days, and the crematory obligation under 410 ILCS 18/35(o) is now covered.

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# WHY CHAIN OF CUSTODY MATTERS IN ILLINOIS

Families trust funeral professionals to care for their loved ones with dignity and precision, from the first call through final disposition. In Illinois, that trust now has a specific legal shape behind it.

Since January 1, 2025, every Illinois funeral establishment has been required by statute to maintain an identification system capable of identifying the human remains in its possession through final disposition. Since December 10, 2025, an administrative rule has set out what that system must actually record, how long the records must be kept, and – importantly for firms weighing their options – that the records may be kept electronically or on paper.

Illinois is one of only four jurisdictions in North America whose law mandates a full identification and custody system for funeral establishments generally, rather than for crematories alone. It is, on the text, the strongest general chain-of-custody law in the country. Firms that operate in Illinois are held to a standard most of the profession is not yet held to.

## What this guide covers

- What the statute and the implementing rule each require, quoted from the text
- The penalties that attach, and who enforces them
- What to have ready before an inspection
- Where firms most often fall short, and what prevents it
- What to look for in a tracking system, whether paper or digital

**A note on how this guide is written.** Compliance material is only useful if it is accurate. Every legal requirement in this guide is quoted or cited to its source, and anything that is a recommended practice rather than a legal requirement is labelled as such. Where a figure comes from press reporting rather than from a statute, the guide says so.

*"I believe our profession benefits from greater transparency. Families should be able to have complete confidence in how their loved one is identified, transferred and cared for behind the scenes, even though much of that work is something they will never see."*

**Jeff Hagel, President, McInnis & Holloway Funeral Homes**

A 10-location funeral home group serving approximately 4,000 families a year and operating its own transfer service.

# THE LAW:

## PUBLIC ACT 103-0907

The **Integrity in Death Care Act** began as Senate Bill 2643, sponsored by Sen. Doris Turner. It passed both chambers unanimously — 113–0 in the House and 59–0 in the Senate — was signed by Governor Pritzker on **August 9, 2024**, and took effect as Public Act 103-0907 on **January 1, 2025**.

### Where the law came from

The legislation followed the collapse of recordkeeping at a Carlinville funeral home. According to reporting by Capitol News Illinois, a Sangamon County Coroner's affidavit documented **75 confirmed cases** of families receiving the wrong cremated remains, with as many as **800 clients between 2017 and 2023** potentially misidentified. The same reporting describes remains stored in unrefrigerated rooms and left for weeks in hospital morgues. The funeral director surrendered his Illinois licence in 2023, after the coroner went public. (Capitol News Illinois, September 4, 2024.)

*These figures come from press reporting and a coroner's affidavit, not from the statute. They are included because the case explains what the legislature was responding to.*

### Where the requirements now live

The Act is the origin, but it is no longer the operative citation. Illinois firms and their counsel should work from the codified sections and the rule:

| CITATION                   | WHAT IT GOVERNS                                                                                                                        |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 225 ILCS 41/15-56          | Chain of custody record — the identification-system duty for <b>funeral establishments</b>                                             |
| 410 ILCS 18/35(o)          | The identification-system duty for <b>crematory authorities</b>                                                                        |
| 68 Ill. Adm. Code 1250.240 | The implementing rule — what must be recorded, when, and for how long. Added at 49 Ill. Reg. 16260, effective <b>December 10, 2025</b> |
| 225 ILCS 41/15-75          | Discipline, fines, and the offences designated Class 4 felonies                                                                        |

### WHY THE DISTINCTION MATTERS

A guide that cites only "SB2643" is citing a bill that stopped being the operative reference the day it became law. If you are asked to show an inspector or your counsel where a duty comes from, the section number is what they will look up.

# WHAT THE STATUTE REQUIRES

## For funeral establishments

*"The Department shall require a funeral establishment to maintain an identification system that ensures that a funeral establishment is able to identify the human remains in its possession through final disposition."*

225 ILCS 41/15-56 — CHAIN OF CUSTODY RECORD

Two things are worth reading closely. The duty attaches to remains **in the establishment's possession** — it begins when your firm takes custody, not at the moment of death. And it runs **through final disposition**, not to the point of transfer. If remains leave your care and come back, or pass through a third party, the system still has to be able to identify them.

## For crematory authorities

*"A crematory authority shall maintain a chain of custody record, which is an identification system that ensures that a crematory authority is able to identify the human remains in its possession throughout all phases of the cremation process."*

410 ILCS 18/35(O) — CREMATORY AUTHORITY DUTIES

Firms that operate their own crematory carry **both** duties, under two different chapters of Illinois law. They are similar in shape but they are not the same obligation, and an inspection may look at either. The crematory duty runs across every phase of the cremation process specifically.

## The definition that does the work

The Act defines "**uniquely identified**" as "providing the deceased with individualized identification." The rule that followed in December 2025 turns that phrase into concrete requirements — an identifier that travels with the remains, identification verified at six points, and five years of records. Those are set out on the next page.

**What the statute does not say.** It does not prescribe a particular technology, a particular form, or a particular tag material. It does not require identifiers on body bags — that is sound practice, and many firms do it, but it is not in the text. Be careful with any guide, vendor, or checklist that presents a practice as a legal requirement; the two are easy to blur and expensive to confuse.

## WHAT THE DECEMBER 2025 RULES REQUIRE

Section 1250.240 is the operative rule. It is short and specific, and it sets a floor rather than a ceiling: the record "shall include, but is not limited to," the following. These five requirements are what a firm is expected to be able to demonstrate.

### 1 A unique identifier that travels with the remains

An identifier **specific to each funeral establishment or funeral business**, attached to the remains, that "shall accompany the remains on each step of the respective disposition process." A copy must also be affixed to the **casket or alternative container** before delivery to the crematorium.

### 2 Identification verified at six points

"As part of the recordkeeping requirement," the licensee verifies the identification of the remains upon:

- **Assuming custody** of the remains
- **Before and after storage**
- **Transfers to and from the crematorium** — recording the unique identifier the crematorium assigns
- **Transfers to and from your own funeral establishment or funeral business**
- **Transfers to and from a separately owned funeral establishment or business** — recording the identifiers of both the transferring and the receiving business
- **Transportation to the place of final disposition**

### 3 Tags on every container of separated remains

"If the remains ... are separated, additional tracking tags containing the unique identifier shall be similarly placed **with all containers holding remains.**"

### 4 Five-year record retention

"Maintenance of the chain of custody records for a **minimum of 5 years.**" A hard, checkable obligation, and worth confirming against your firm's document-retention policy.

### 5 Electronic or paper — your choice, if auditable

"Utilization of **electronic or paper based tracking systems** to comply with this Section, so long as the Department has the ability to audit the files."

## THE FIFTH REQUIREMENT IS THE ONE TO READ TWICE

Illinois has expressly authorised electronic chain-of-custody records. A digital system is not a workaround or an interpretation — it is named in the rule. The single condition is audibility: the Department must be able to examine the files. Whichever way a firm goes, that is the test to design around.

# PENALTIES AND ENFORCEMENT

## The inspection trigger

*On a complaint alleging mishandling or misidentification of remains, "the Department shall inspect the premises named in the complaint **within 10 business days** after receipt."*

**225 ILCS 41/15-15 – COMPLAINTS; INVESTIGATIONS; HEARINGS**

This is a mandatory inspection on a specific class of complaint — not a discretionary one, and not triggered by every complaint. In practice it means a firm has no meaningful window in which to assemble records after the fact. Whatever exists on the day the complaint is received is what will be examined.

## Disciplinary penalties

IDFPR may take a range of disciplinary actions against a licence, **including fines not to exceed \$10,000 for each violation** (225 ILCS 41/15-75(b)), alongside reprimand, probation, suspension, or revocation.

## Criminal penalties

Four categories of conduct are Class 4 felonies under 225 ILCS 41/15-75(a-5) when committed **intentionally or knowingly**:

- Violating the chain of custody record requirements of Section 15-56
- Making a false statement on a Certificate of Death
- Making or filing false records or reports in the practice of funeral directing and embalming, including records filed with State agencies
- Violating the preparation room procedures and rules of Section 15-55

## READ THE FIRST ONE CAREFULLY

The trigger is **violating the chain of custody record requirements** — not falsifying records. A record that was never made, or a transfer that was never logged, can fall within it. Falsification is not required.

**On penalty figures.** The Act sets no dollar amount for criminal penalties; sentencing for a Class 4 felony is governed by the Unified Code of Corrections rather than by this Act. The only monetary figure in the Act itself is the \$10,000 disciplinary fine above. Any published figure beyond that should be checked against the sentencing statute with counsel before you rely on it.

# AUDIT PREPAREDNESS

What follows is organised by **where each item comes from** — the rule, or good practice. The distinction matters when you are deciding what to fix first.

## Required by the rule

| WHAT TO BE ABLE TO SHOW                                                                                                                                                                                                          | SOURCE      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| A unique identifier specific to your establishment that travels with the remains, with a copy on the casket or container before crematory delivery                                                                               | 1250.240(a) |
| Identification verified on taking custody, before and after storage, on each transfer (recording the crematorium's identifier, or both firms' identifiers for a separately owned business) and on transport to final disposition | 1250.240(b) |
| Tracking tags carrying the identifier on every container of separated remains                                                                                                                                                    | 1250.240(c) |
| Chain of custody records going back at least five years                                                                                                                                                                          | 1250.240(d) |
| Records the Department can audit, whether electronic or paper                                                                                                                                                                    | 1250.240(e) |
| A system that can identify remains in your possession through disposition                                                                                                                                                        | 15-56       |
| Crematories: identification maintained through all phases of cremation                                                                                                                                                           | 18/35(o)    |

## Recommended practice — not legal requirements

These are not in the statute or the rule. They are the habits that make the required records reliable.

- A named individual recorded for every handoff, with a timestamp
- Written handoff protocols with crematories, cemeteries and transport partners, and confirmation of receipt from each
- Identifiers on the body bag as well as the remains
- Documented staff training on the custody procedure, with refreshers
- Secure storage with access control, refrigeration and environmental safeguards
- Backups, and a plan for producing records if a system is unavailable

**MorTrack's recommended readiness benchmark:** pick a case file at random from the past six months and try to produce the complete custody chain — every handoff, every signature, every identifier — **in under ten minutes**. This is our benchmark, not an IDFPR standard. It is simply the most reliable way we know to find out whether records are genuinely retrievable or only theoretically complete.

# WHERE FIRMS COMMONLY FALL SHORT

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The scenarios below are **illustrative** — composites drawn from common operational patterns in the profession, not accounts of specific enforcement actions or identifiable firms.

## Incomplete documentation

**The pattern:** missing signatures, timestamps or transfer details in paper logs — most often on weekends, after hours, or across a shift change.

**Illustrative scenario:** a firm cannot reconstruct a weekend transfer because the log entry was made from memory on Monday.

**What prevents it:** required fields that cannot be skipped, captured at the moment of the handoff rather than afterwards.

## Inconsistent practice between shifts

**The pattern:** new staff unfamiliar with the custody procedure; day and night teams following different routines.

**Illustrative scenario:** two teams in the same firm record transfers in two different places, so neither record is complete.

**What prevents it:** one documented procedure, trained on and refreshed, with the same workflow for everyone.

## Unverified third-party handoffs

**The pattern:** transfers to crematories, cemeteries or transport providers with no confirmation of receipt coming back.

**Illustrative scenario:** a firm can show that remains left its care but cannot show who accepted them, leaving a gap in the chain.

**What prevents it:** standardised handoff steps that require a confirmation from the receiving party.

## Identifiers that do not survive the process

**The pattern:** identifiers detached during preparation, or not reapplied to separated remains.

**Illustrative scenario:** an identifier is removed during embalming and not replaced, so the tag and the record no longer agree.

**What prevents it:** durable identifiers, a defined reapplication step, and tags on separated remains as the rule requires.

## Records that exist but cannot be produced

**The pattern:** records scattered across forms, cabinets and drives; or a system that is unavailable at the moment it is needed.

**What prevents it:** one place to look, backups, and a tested way to produce records when the primary system is down.

# CHOOSING A TRACKING SYSTEM

Illinois permits electronic or paper systems. Either can satisfy the rule. What a firm should be comparing is how reliably each one produces a complete, auditable record under real operating conditions.

*"If a question ever arises, we aren't relying on someone's memory or trying to piece together different records after the fact. We have a clear history of that person's care... Technology in funeral service should support good people and good processes — it shouldn't get in their way."*

**Jeff Hagel, President, McInnis & Holloway Funeral Homes**

After approximately three years using MorTrack across 10 locations and a 24-hour transfer operation.

## What any system has to do

- **Generate and hold a unique identifier** specific to your establishment that travels with the remains at every step, with a copy on the casket or container before crematory delivery
- **Verify and record identification at every defined point** — storage in and out, crematory transfers with the crematorium's identifier, and transfers between firms with both businesses' identifiers
- **Handle separated remains** without breaking the link to the parent case
- **Retain records for at least five years** and keep them retrievable, not merely stored
- **Be auditable by the Department** — records that can be produced, read, and checked

## Paper and digital compared

| AREA                 | PAPER-BASED                                  | DIGITAL                                                            |
|----------------------|----------------------------------------------|--------------------------------------------------------------------|
| <b>Accuracy</b>      | Depends on legibility and on timely entry    | Entries captured at the point of handoff; fields cannot be skipped |
| <b>Visibility</b>    | Current custody status has to be asked for   | Status visible without asking                                      |
| <b>Retrieval</b>     | Depends on filing discipline over five years | Searchable across the retention period                             |
| <b>Third parties</b> | Phone call or returned paperwork             | Captured from the receiving party                                  |
| <b>Consistency</b>   | Varies with training and shift               | Same workflow for every user                                       |
| <b>Continuity</b>    | Vulnerable to loss, damage, misfiling        | Vulnerable to outage — backups matter                              |

**Neither choice is compliant on its own.** A system supports compliance; a firm's practices are what comply. The most common failure is not the absence of a system but the absence of a habit.

# HOW MORTRACK SUPPORTS COMPLIANCE READINESS

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MorTrack is built for funeral and cremation professionals, to make chain of custody tracking simple, reliable and audit-ready.

## END-TO-END DIGITAL TRACKING

Every transfer is logged and time-stamped as it happens, from first call through final disposition, with the case identifier carried across each step.

## MOBILE CAPTURE FOR STAFF IN THE FIELD

Drivers, removal teams and crematory partners confirm custody from a phone or tablet, so the record is made at the handoff rather than reconstructed later.

## AUDIT-READY RECORDS

Custody chains can be produced on request, organised by case and retrievable across the five-year retention period the rule requires.

## ROLE-BASED ACCESS

Each staff member sees what their role requires, which reduces both errors and the training burden on new hires.

## ALERTS AND NOTIFICATIONS

Flags when a step is missed or remains have stayed in one stage longer than expected — so gaps surface while they can still be closed.

## Illinois-specific support

- Workflows configured to the custody points named in 68 Ill. Adm. Code 1250.240
- Reporting formats built for producing records on inspection
- Support for both the funeral establishment duty and the crematory authority duty
- MorTrack is an Associate Member of the Illinois Funeral Directors Association

# CONCLUSION AND QUICK REFERENCE

The Integrity in Death Care Act is the most significant regulatory change for Illinois funeral care in decades, and the December 2025 rules gave it operational teeth. The requirements are clear, they are checkable, and they have been in force long enough that firms are expected to be able to produce complete records now.

The work of meeting them is not complicated. It is a matter of a durable identifier, a record made at each handoff rather than afterwards, and five years of records you can actually find.

## Key dates

| DATE              | WHAT HAPPENED                                                                                                        |
|-------------------|----------------------------------------------------------------------------------------------------------------------|
| August 9, 2024    | SB2643 signed as Public Act 103-0907                                                                                 |
| January 1, 2025   | 225 ILCS 41/15-56 and 410 ILCS 18/35(o) in force                                                                     |
| December 10, 2025 | 68 Ill. Adm. Code 1250.240 in force – identifiers, custody points, five-year retention, electronic records permitted |

## Where to check the source yourself

- Public Act 103-0907 – [ilga.gov](https://ilga.gov), Legislation > Public Acts
- 68 Ill. Adm. Code 1250 – [ilga.gov](https://ilga.gov), JCAR administrative code
- Licensing, discipline and complaints – [idfpr.illinois.gov](https://idfpr.illinois.gov)

## One item to watch

Senate Bill 4024 in the 104th General Assembly would create a "Transfer Care Specialists" Article and amend Sections 15-30, 15-45, 15-72 and 15-75. It does not amend Section 15-56 or the chain of custody duty it creates. As of this edition the bill is recorded as having died in committee after its referral to Senate Assignments in February 2026. Firms may wish to re-check its status toward the end of 2026.

## WHERE TO START, IF YOU ARE STARTING

Pull one case file from the past six months and try to produce its full custody chain. Whatever you cannot find is your first project – and it is usually a smaller list than firms expect.



## About MorTrack

MorTrack is a digital chain-of-custody platform for funeral homes and crematories. Built specifically for the profession, MorTrack helps you:

- Keep inspection-ready custody records across the full retention period
- Reduce documentation gaps with capture at the point of handoff
- Give families confidence through clear, complete records of care

Learn more: [www.mortrack.com](http://www.mortrack.com) · Book a demo: [www.mortrack.com/demo](http://www.mortrack.com/demo)



**Every Loved One, Every Movement,  
Every Asset — Every Time.**

**All Tracked with MorTrack.**

Disclaimer: This information is provided for informational and educational purposes only and reflects MorTrack's interpretation of Illinois law (225 ILCS 41/15-56; 410 ILCS 18/35(o); 68 Ill. Adm. Code 1250.240). It does not constitute legal advice. Contact IDFPR or legal counsel for official guidance. MorTrack assumes no liability. Second Edition, revised September 2026.