

APPROVED
VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS
PUBLIC HEARING
MINUTES

The Virginia Board of Funeral Directors and Embalmers convened for a Public Hearing on Tuesday, September 9, 2008 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Suite 201, Board Room #1, Richmond, Virginia.

The following board members were present for the meeting included:

Willard D. Tharp, Board Chair
Billie Watson Hughes
Michael Leonard
William Ball
Blair Nelsen
Randolph Minter
Barry Murphy

DHP staff present for the meeting included:

Elaine Yeatts, Senior Policy Analyst
Lisa R. Hahn, Executive Director
Annie B. Artis, Licensure Operations Manager
Holly Manke, Administrative Assistant

Representative from the Office of the Attorney General was present for the meeting:

Amy Marschean, Senior Assistant Attorney General

Guests present:

Bo Kenney, Association of Independent Funeral Homes of Virginia
Bruce Kenney, Association of Independent Funeral Homes of Virginia
Samantha Pinner Romano, Virginia Funeral Directors Association
Meredyth Partridge, Regulatory Support Services, Inc.
David Bashline, Regulatory Support Services, Inc.
Mike Doherty, Cemetery Association

CALLED TO ORDER

Mr. Tharp called the public hearing to order at 9:05 a.m.

Mr. Tharp stated that this was a public hearing to receive comments on proposed amendments relating to the regulation of crematories. Copies of the regulations were provided for the public.

PUBLIC COMMENT PERIOD

Mr. Doherty spoke on behalf of the Virginia Cemetery Association. His comments were as follows:

- It appears that Section 18 VAC 65-20-436 is requiring a funeral home that has a crematory on site to require a cremation container when not needed. If the funeral home makes the removal, brings the remains to the funeral home, and cremates on-site, a container should not be necessary. It would be an additional expense to families if required.
- Mr. Doherty suggested the following amendment to be placed at the end of subsection 1: “A cremation container is not required if the crematory is located in a funeral service establishment that has made the removal.”
- Mr. Doherty thanked the Board for allowing him the opportunity to address them and the public on the proposed crematory regulations on behalf of the Virginia Cemetery Association. He further stated that VCA supports the continued ability for crematories to be located in cemeteries. The proposed regulations continue the requirement that “a crematory providing cremation services directly to the public shall also be licensed as a funeral service establishment or shall be a branch of a licensed establishment. He stated the requirement is acceptable to VCA as long as crematories located in cemeteries can continue to cremate for licensed establishments.

Mr. Doherty stated because crematories located in cemeteries that are not licensed funeral service establishments (or branches) must provide their services to a funeral service licensee, it is requested that 18VAC 65-20 436 (B5) provide that refrigeration may be located at a funeral service establishment.

Mr. Tharp reminded the public that written comments on the proposed regulations should be directed to Lisa R. Hahn, Executive Director, Board of Funeral Directors and Embalmers, Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, VA 23233-1463 or by e-mail to lisa.hahn@dhp.virginia.gov. Electronic comment may be posted on the Virginia Regulatory Town Hall at www.townhall.virginia.gov or sent by e-mail. The comment period will close on **October 3, 2008**.

ADJOURNMENT

There being no further public comment, Mr. Tharp thanked the public for their attendance, comments, and participation in the regulatory process. The public hearing adjourned at 9:11 a.m.

Willard D. Tharp, FSL, Chair

Lisa R. Hahn, Executive Director

Date

Date