

Commonwealth of Virginia



REGULATIONS
FOR THE
RESIDENT TRAINEE FUNERAL SERVICE
INTERNSHIP PROGRAM FOR FUNERAL
SERVICE

VIRGINIA BOARD OF
FUNERAL DIRECTORS AND EMBALMERS

Title of Regulations: 18 VAC 65-40-10 et seq.

Statutory Authority: § 54.1-2400 and Chapter 28
of Title 54.1 of the *Code of Virginia*

Revised Date: July 26, 2006

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Part I. General Provisions.

18VAC65-40-10. Definitions.

In addition to words and terms defined in §54.1-2800 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Direct supervision" means that a licensed funeral service professional is present and on the premises of the facility.

"Full-time school attendance" means that the individual attending mortuary science school is enrolled in 12 or more semester hours of coursework per semester.

"Supervisor" means a licensed employee at the training site who has been approved by the board to provide supervision for the ~~resident trainee~~ funeral intern.

"Training site" means the licensed funeral establishment which has agreed to serve as the location for ~~resident training~~ a funeral service internship and has been approved by the board ~~for the training~~.

18VAC65-40-40. Fees.

A. The following fees shall be paid as applicable for registration:

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|---|------|
| 1. Funeral service resident trainee <u>intern</u> registration, reinstatement or renewal | \$75 |
| 2. Late fee for renewal up to 30 days after expiration | \$25 |
| 3. Duplicate copy of trainee <u>intern</u> registration | \$25 |
| 4. Returned check | \$35 |
| 5. Change of supervisor | \$15 |

B. Fees shall be made payable to the Treasurer of Virginia and shall not be refundable once submitted.

18VAC65-40-90. Renewal of registration.

A. The ~~resident trainee~~ funeral service intern registration shall expire on January 31 of each calendar year and may be renewed by submission of the renewal notice and prescribed fee.

B. A person who fails to renew a registration by the expiration date shall be deemed to have an invalid registration. No credit will be allowed for a ~~traineeship~~ an internship period served under an expired registration.

C. The ~~resident trainee~~ funeral service intern is responsible for notifying the board of any changes in name, address, employment, or supervisor. Any notices shall be validly given when mailed to the address on record with the board.

18VAC65-40-100. [Repealed]

18VAC65-40-110. Reinstatement of expired registration.

A. The board may consider reinstatement of an expired registration for up to three years following expiration. A written application request for reinstatement shall be submitted to the board and shall include payment of all applicable fees.

B. When a registration is not reinstated within three years of its expiration date, a new application for registration shall be filed and a new ~~training program~~ internship begun.

Part II. ~~Trainee Program~~ Funeral Service Internship Requirements.

18VAC65-40-130. ~~Resident training~~ Funeral service internship.

A. The ~~trainee program~~ internship shall consist of at least 18 months of ~~resident~~ training.

B. An individual may hold an active ~~traineeship~~ internship registration for a maximum of 48 months from the date of initial registration for the ~~traineeship~~ internship program. The board, in its discretion, may grant an extension of the ~~traineeship~~ internship registration.

C. A ~~resident trainee~~ funeral service intern shall not attend school full time while serving his ~~traineeship~~ internship.

18VAC65-40-160. ~~Trainee~~ Intern work schedule.

Every ~~resident trainee~~ funeral service intern shall be assigned a full-time work schedule of at least 40 hours each week in order to obtain credit for such training. The ~~trainee~~ intern shall be required to receive training in all areas of funeral service. Additional and further hours may be at the discretion of the supervisor or may be a requirement of the facility.

18VAC65-40-180. ~~Trainee~~ Intern application package.

A. Any person who meets the qualifications of §54.1-2817 of the Code of Virginia may seek registration with the board as a ~~trainee~~ funeral service intern ~~under the Program for Training of Resident Trainees~~ by submission of an application package, which shall include documentation of the qualifications and signatures of any supervising licensees.

B. With the exception of school transcripts, all parts of an application package, including the required fee and any additional documentation as may be required to determine eligibility, shall be submitted simultaneously.

18VAC65-40-201. Failure to register.

If the ~~resident traineeship~~ internship is not approved by the board prior to initiation of training, no credit shall be allowed for the length of time served.

18VAC65-40-220. Qualifications of training site.

The board shall approve only an establishment or two combined establishments to serve as the training site or sites which:

1. Have a full and unrestricted Virginia license;
2. Have complied in all respects with the provisions of the regulations of the Board of Funeral Directors and Embalmers; and
3. Have 35 or more funerals and 35 or more bodies for embalming over a 12-month period for each person to be trained. This total must be maintained throughout the period of training. If the establishment does not meet the required number of funerals or embalmings, the ~~resident trainee~~ funeral service intern may seek approval for an additional training site.

18VAC65-40-280. Supervisor application package.

A. A licensee seeking approval by the board as a supervisor shall submit a completed application and any additional documentation as may be required to determine eligibility.

B. The application for supervision of a ~~resident trainee~~ funeral service intern shall be signed by the establishment manager and by the persons who will be providing supervision for embalming and for the funeral services.

18VAC65-40-300. Interruption and reinstatement.

A. If the program is interrupted, the ~~trainee~~ intern shall obtain a new supervisor and submit a new application for approval.

B. Credit shall only be allowed for training under direct supervision. Credit for training shall resume when a new supervisor is approved by the board and the applicant has been reinstated.

18VAC65-40-320. Reports to the board: six-month report; partial report.

A. The ~~trainee~~ intern, the supervisor or supervisors, and the establishment shall submit a written report to the board at the end of every six months of training. The report shall:

1. Verify that the ~~trainee~~ intern has actually served in the required capacity during the preceding six months; and
2. Be received in the board office no later than 10 days following the end of the six-month period.

Late reports may result in additional time being added to the ~~traineeship~~ internship.

B. If the ~~training program~~ internship is terminated or interrupted prior to completion of a six-month period, the ~~trainee~~ intern and the supervisor shall submit a partial report to the board with a written explanation of the cause of program termination or interruption.

1. The partial report shall provide the amount of time served and the dates since the last reporting period. Credit for partial reports shall be given in increments of one month.
2. Partial reports shall be received in the board office no later than 10 days after the interruption or termination of the ~~trainee program~~ internship. Credit may be deducted for late reports.

18VAC65-40-330. Failure to submit training report.

If the ~~trainee~~ intern, supervisor, or establishment manager fails to submit the reports required in 18VAC65-40-320, the ~~trainee~~ intern may forfeit all or partial credit for training or disciplinary action may be taken against the ~~trainee~~ intern, supervisor and establishment manager.

Part III. ~~Training Program~~ Internship: Funeral Supervisors' Responsibilities.

18VAC65-40-340. Supervisors' responsibilities.

- A. The supervisor shall provide the ~~trainee~~ intern with all applicable laws and regulations or sections of regulations relating to the funeral industry.
- B. The supervisor shall provide the ~~trainee~~ intern with copies of and instruction in the use of all forms and price lists employed by the funeral establishment.
- C. The supervisor shall provide the ~~trainee~~ intern with instruction in all aspects of funeral services and shall allow the ~~trainee~~ intern under direct supervision to conduct all necessary arrangements for a minimum of 25 funerals.
- D. The embalming supervisor shall provide instruction on all necessary precautions, embalming functions, and reporting forms and shall allow the ~~trainee~~ intern under direct supervision to perform a minimum of 25 embalmings.
- E. The supervisor shall provide the ~~trainee~~ intern with instruction in making preneed funeral arrangements and instruction on the laws and regulations pertaining to preneed funeral contracts and disclosures.

**REGULATIONS OF THE
VIRGINIA BOARD OF
FUNERAL DIRECTORS AND EMBALMERS**

Title of Regulations: 18 VAC 65-20-10 et seq.

18VAC65-20-60. Accuracy of information.

A. All changes of mailing address, name, place of employment, or change in establishment ownership, manager, or name shall be furnished to the board within 30 days after the change occurs.

B. All notices required by law and by this chapter to be mailed by the board to any registrant or licensee shall be validly given when mailed to the latest address on file with the board and shall not relieve the licensee, ~~trainee~~ funeral service intern, establishment, or firm of obligation to comply.

18VAC65-20-500. Disciplinary action.

In accordance with the provisions of §54.1-2806 of the Code of Virginia, the following practices are considered unprofessional conduct and may subject the licensee to disciplinary action by the board:

1. Breach of confidence. The unnecessary or unwarranted disclosure of confidences by the funeral licensee.

2. Unfair competition.

a. Interference by a funeral service licensee, funeral director, or registered surface transportation and removal service when another has been called to take charge of a dead human body and the caller or agent of the caller has the legal right to the body's disposition.

b. Consent by a funeral service licensee or funeral director to take charge of a body unless authorized by the person or his agent having the legal right to disposition.

3. False advertising.

a. No licensee or registrant shall make, publish, disseminate, circulate or place before the public, or cause directly or indirectly to be made, an advertisement of any sort regarding services or anything so offered to the public which contains any promise, assertion, representation, or statement of fact which is untrue, deceptive, or misleading.

b. The following practices, both written and verbal, shall constitute false, deceptive, or misleading advertisement within the meaning of subdivision 4 of §54.1-2806 of the Code of Virginia:

(1) Advertising containing inaccurate statements; and

(2) Advertisement which gives a false impression as to ability, care, and cost of conducting a funeral, or that creates an impression of things not likely to be true.

c. The following practices are among those which shall constitute an untrue, deceptive, and misleading representation or statement of fact:

(1) Representing that funeral goods or services will delay the natural decomposition of human remains for a long term or indefinite time; and

(2) Representing that funeral goods have protective features or will protect the body from gravesite substances over or beyond that offered by the written warranty of the manufacturer.

4. Inappropriate handling of dead human bodies. Transportation and removal vehicles shall be of such nature as to eliminate exposure of the deceased to the public during transportation. During the transporting of a human body, consideration shall be taken to avoid unnecessary delays or stops during travel.

5. Failure to furnish price information disclosing the cost to the purchaser for each of the specific funeral goods and funeral services used in connection with the disposition of deceased human bodies.

6. Conducting the practice of funeral services in such a manner as to constitute a danger to the health, safety, and well-being of the staff or the public.

7. Inability to practice with skill or safety because of physical, mental, or emotional illness, or substance abuse.
8. Failure to register as a supervisor for a ~~resident trainee~~ funeral service intern or failure to provide reports to the board as required by the Code of Virginia and 18VAC65-40.
9. Failure to comply with applicable federal and state laws and regulations, including requirements for continuing education.

18VAC65-20-580. Preparation room equipment.

The preparation room or rooms shall be equipped with:

1. A ventilation system which operates and is appropriate to the size and function of the room;
2. Running hot and cold water;
3. Flush or slop sink connected with public sewer or with septic tank where no public sewer is available;
4. Metal, fiberglass or porcelain morgue table;
5. Covered waste container;
6. Instruments and apparatus for the embalming process;
7. A means or method for the sterilization of reusable instruments by chemical bath or soak; autoclave (steam); or ultraviolet light;
8. Disinfectants and antiseptic solutions;
9. Clean gowns or aprons, preferably impervious to water;
10. Rubber gloves for each embalmer or ~~trainee~~ intern using the room;
11. An electric aspirator or hydroaspirator equipped with a vacuum breaker;
12. An eye wash station that is readily accessible; and
13. A standard first aid kit which is immediately accessible outside the door to the preparation room.

Certification

I certify that this regulation is full, true, and correctly dated.

Elizabeth Young
Executive Director
Virginia Board of Funeral Directors and Embalmers

Date: _____