Board of Funeral Directors and Embalmers

GUIDANCE FOR INSPECTORS

Can refrigeration be provided at another location, branch or main establishment other than the crematory location?

Yes, the crematory can arrange for off-site refrigeration. A letter from the provider of the refrigeration should be requested during the inspection.

If a funeral home or crematory transports a body from the hospital or place of death, does the body have to be in a cremation container?

The intent of the regulation is that upon arrival at the funeral home the decedent shall be placed in a cremation container for transfer to the crematory.

Is the DEQ permit number of the retort required on every form in the deceased's cremation record?

No, it is only required to be listed on one form in the decedent's cremation record.

Can a crematory that operates within a funeral establishment have a separate manager of record or can the establishment's manager serve as the manager of record for both?

Yes, a manager of record of the funeral establishment can also serve as manager of record of the crematory or they can have two separate managers. However if the manager of record of the crematory is not a licensee, the establishment's manager of record is ultimately responsible for both the establishment and the crematory.

If a crematory is not a funeral establishment or a branch of a funeral establishment, can they sell preneed?

No, they must be licensed as a funeral establishment or a branch of a funeral establishment.

Do the regulations still require a contract number on a preneed contract?

No, however the funeral home must be able to show verification of the funding and payment.

What duties can unlicensed staff perform in the preparation of the body?

The board stated that an unlicensed person could assist with cosmetizing, dressing and casketing the deceased. An unlicensed individual may wash or use soap and water to cleanse or prepare a dead human body for disposition by the authorized agents, family, or friends of the deceased who do so privately without pay or as part of the ritual washing and preparation of dead human bodies prescribed by religious practices.

When a funeral home takes arrangement instructions from another funeral home on an at-need contract, whose signature should be on the buyer's signature line?

It is not mandated by regulations but is suggested to have the calling funeral home's name and the name of the funeral director who is giving instruction on the buyer's signature line.

Can a funeral home keep a log or spreadsheet versus an individual embalming record?

No, 18VAC65-20-510 clearly requires that every funeral establishment shall record and maintain a separate, identifiable report for each embalming procedure conducted, which shall at a minimum include the following: the deceased's name and date of death, the date and location of the embalming, the name and signature of the embalmer and the license number of the embalmer and if the embalming was performed by a funeral service intern and if so the signature of the supervisor, location of embalming, date of death, date of embalming.

If a funeral home lists the full price of a package on the Statement of Goods and Services must it also identify on the contract the specific items that are included in the package?

Yes, either list them individually on the Statement of Goods and Services or place an asterisk around each item included in the package on the contract. The intent is that the reader can understand which items are included in the package.

Is it acceptable to the board for a license to be posted in a private business office?

No, a public lounge or an arrangement room is acceptable. The regulation states that each licensee shall post an original or photocopy of his license in a place conspicuous to consumers of funeral services in each establishment or branch where he is employed.

Additionally, if the funeral establishment uses contract embalmers only on rare occasions, a funeral home does not have to post that embalmer's license as long as the funeral home keeps it on file (Board approved 12/06)

If the preparation room at the main establishment is not used must it still be inspected?

For every licensed funeral establishment, there must be an operable preparation room at either the main establishment or at a branch establishment. Even if a preparation room at the main establishment is not used, it shall be inspected and contain requirements and must be operable.

Can enamel based paint be used as a material impervious to water?

Enamel based paint is considered impervious to water and is an acceptable material for the floor and wall surfaces.

If the preparation room is kept clean and sanitary but the floor has some permanent stains on it should it be cited as a deficiency?

No, permanent or irreversible stains due to embalming procedures are acceptable and should not be cited as a deficiency.

Are telephones, telephone books, radio allowed to be in the preparation room?

Telephones, telephone books and radios are acceptable. Additionally, items or supplies necessary in the preparation of a body or related to an embalming procedure are acceptable.

May a drainage tube be connected to the embalming table and run straight into the sewer?

Yes, the regulations states that the preparation room shall be equipped with a flush or slop sink connected with public sewer or with septic tank where no pubic sewer is available.

Can the disinfectants and antiseptic solutions be stored on the floor in the preparation room in properly labeled containers?

Yes, both disinfectants and antiseptic solutions may be stored on the floor of the prep room in properly labeled containers. Antiseptics are used for hand-washing and personal hygiene. Most disinfectants are commercial and generic brands are acceptable. Bleach may be used for disinfecting, but cannot be mixed with formaldehyde. The two chemicals together become combustible.

What type of evidence does the board want regarding disposal of waste materials?

Disposal of all waste materials shall be in conformity with local, state, and federal law and regulation to avoid the possible spread of disease. The funeral service establishment shall provide evidence of a current contractual agreement with or services provided by a licensed medical waste disposal company. Evidence may include a letter of agreement, a contract or a recent billing for the service.

Will the board accept electronic copies of requested documents that are no longer current?

Yes, the Board will accept electronic copies of forms that are no longer current.

Can the main funeral service establishment maintain all records, including those for branch establishments with the exception of embalming reports, which must be maintained at the site of embalming.

Yes

If the funeral home charges the same price for embalming of normal remains and autopsy remains, is it only necessary to list the charge once on the general price list?

Yes

Can you provide guidance on the price range for the following categories?

Immediate Burial: Your prices should range from your immediate burial package with container provided by purchaser to your immediate burial package plus your most expensive casket.

Direct Cremation: A price range must be given for a direct cremation. Your prices should range from direct cremation with a container provided by the purchaser to the price for direct cremation plus the most expensive wooden casket acceptable for cremation or the most expensive cremation casket. When in doubt, please refer to Appendix 1 for reference or call the board office.

Funeral Merchandise: The casket and outer burial container price range shall match the Casket and Outer Burial Price Lists. The price does not include tax on the merchandise.

Outer Burial Container Price List: The required disclosure shall be required on the Outer Burial List and on the General Price List. (According to FTC, if the required disclosure is on the Outer Burial Container Price List, then it is not necessary to have it on the General Price List). Although FTC does not require the manufacturers' names on the price lists, the Board does require this as means to identify the caskets and outer burial containers.

Must the preneed list be separate from the insurance company's list and can a blanket statement be used indicating if 10% of the funds are retained?

The list may have a blanket statement indicating whether 10% of the funds are retained and if funeral merchandise is stored on the premises. The preneed list must be separate from the insurance company's list and contain the required information stipulated in the Board's Preneed Regulation.

When do you add a name to the preneed list and when should you remove a name from the chronological list?

The proper time to add a name to the preneed list is when the funeral director and the buyer sign the pre-need contract. The time to remove a name from the list is after the death of the contract beneficiary.

What is a proper ventilation system?

The preparation room must have a ventilation system, which operates and is appropriate to the size and function of the room, and takes the air from the inside to the outside of the room. Holding a piece of paper near the vent usually will provide an adequate test for an operable ventilation system.

The final language in House Bill 201 is somewhat vague in the actual refrigeration requirement. The language reads "no more than approximately 40 degrees". What temperature will be within acceptable limits?

The Board agreed to accept a 10% variance of the required temperature.