

Proposed Regulations

CHAPTER 40

RESIDENT TRAINEE PROGRAM FOR FUNERAL SERVICE

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.

"Training site" means the licensed funeral establishment which has agreed to serve as the location for resident training 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:

1. Funeral service resident trainee registration, reinstatement or renewal	\$75; <u>100</u>
2. Late fee for renewal up to 30 days <u>one year</u> after expiration	\$25; <u>35</u>
3. Duplicate copy of trainee registration	\$25;
4. Returned check	\$25;
<u>5. Registration of supervisor</u>	<u>\$25</u>
5 <u>6.</u> Change of supervisor	\$15; <u>25</u>
<u>7. Reinstatement fee</u>	<u>\$170</u>

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 registration shall expire on ~~January~~ March 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 period served under an expired registration.

C. The resident trainee 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.

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

A. A resident trainee whose registration has expired may be reinstated within one year following expiration by payment of the current renewal fee and the late renewal fee.

~~B. A resident trainee whose registration has been expired for more than one year shall apply for reinstatement by submission of a written application and payment of a reinstatement fee. 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~~ C. 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 begun.

Part II

Trainee Program Requirements

18VAC65-40-130. Resident training.

A. The trainee program shall consist of at least ~~18 months~~ 3,000 hours of resident training to be completed within no less than 12 months and no more than 48 months. For good cause shown, the board may grant an extension of time for completion of a resident traineeship.

~~B. An individual may hold an active traineeship registration for a maximum of 48 months from the date of initial registration for the traineeship program. The board, in its discretion, may grant an extension of the traineeship registration. The trainee shall be assigned a work schedule of not less than 20 hours nor more than 60 hours per week in order to receive credit for such training. For good cause shown, the board may waive the limitation on a resident trainee's work schedule.~~

~~C. A resident trainee shall not attend school full time while serving his traineeship shall receive training in all areas of funeral service.~~

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

~~Every resident trainee 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 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.~~

18VAC65-40-220. 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~~ 50 or more funerals and ~~35~~ 50 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 may seek approval for an additional training site.

18VAC65-40-250. Requirements for supervision.

A. Training shall be conducted under the direct supervision of a licensee or licensees approved by the board. Credit shall only be allowed for training under direct supervision.

B. The board shall approve only funeral service licensees, licensed funeral directors, or licensed embalmers to give funeral training who have a full and unrestricted Virginia funeral license, have at least five consecutive years in practice and are employed full time in or under contract with the establishment where training occurs.

C. A supervisor licensed as an embalmer or a funeral director shall provide supervision only in the areas of funeral practice for which he is licensed.

D. Failure to register as a supervisor may subject the licensee to disciplinary action by the board.

E. If a supervisor is unable or unwilling to continue providing supervision, the resident trainee shall obtain a new supervisor. Credit for training shall resume when a new supervisor is approved by the board and the trainee has paid the prescribed fee for the change of supervisor.

18VAC65-40-300. ~~Interruption and reinstatement. Repealed.~~

~~A. If the program is interrupted, the trainee 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, the supervisor or supervisors, and the establishment shall submit a written report to the board at the end of every ~~six months~~ 1,000 hours of training. The report shall:

1. Specify the period of time in which the 1,000 hours has been completed and verify that the trainee has actually served in the required capacity during the preceding six months period; and

2. Be received in the board office no later than 10 days following the end of the ~~six-month period~~ completion of 1,000 hours. Late reports may result in additional time being added to the traineeship.

B. If the training program is terminated or interrupted prior to completion of a ~~six-month period~~ 1,000 hours or if the trainee is changing supervisors or training sites, the trainee and the supervisor shall submit a partial report to the board with a written explanation of the cause of program termination or interruption or of the change in training or supervision.

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~~ for the number of hours of training completed.

2. Partial reports shall be received in the board office no later than 10 days after the interruption or termination of the trainee program or after the change in supervisors or training sites. Credit may be deducted for late reports.

Part III

Training Program: Funeral Supervisors' Responsibilities

18VAC65-40-340. Supervisors' responsibilities.

A. The supervisor shall provide the trainee with all applicable laws and regulations or sections of regulations relating to the funeral industry.

B. The supervisor shall provide the trainee 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 with instruction in all aspects of funeral services and shall allow the trainee 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 under direct supervision to perform a minimum of 25 embalmings.

E. The supervisor shall provide the trainee with instruction in making preneed funeral arrangements and instruction on the laws and regulations pertaining to preneed funeral contracts and disclosures.

F. The supervisor shall provide instruction on cremation and on the laws and regulations pertaining to cremation.

G. If a training site does not offer preneed funeral planning or cremation services, the supervisor shall arrange for such training at another licensed funeral establishment that does.