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Regulatory
Town Hall

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Exempt Action Final Regulation Agency Background Document

Agency name	Board of Funeral Directors and Embalmers, Department of Health Professions
Virginia Administrative Code (VAC) citation	18VAC65-20-10 et seq.
Regulation title	Regulations of the Board of Funeral Directors and Embalmers
Action title	Continuing education requirements
Final agency action date	June 3, 2008
Document preparation date	June 3, 2008

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

House Bill 1521 of the 2008 General Assembly (Chapter 396) amended § [54.1-2816.1](#), relating to criteria for continuing education for funeral service licensees. Changes to Code section are:

- A. The Board shall promulgate regulations governing continuing education requirements for funeral services licensees, funeral directors and embalmers licensed by the Board.
- B. The Board shall approve criteria for continuing education courses, requiring no more than ~~five~~ **10** hours ~~per year~~ **over two years**, that are directly related to the respective license and scope of practice of funeral service licensees, funeral directors and embalmers. Approved continuing education courses shall ~~emphasize include~~, but not be limited to, ~~at least compliance with laws and regulations governing the profession~~ **one hour per year covering compliance with laws and regulations governing the profession, and at least one hour per year covering preneed funeral arrangements**. Course providers may be required to register continuing education courses with the Board pursuant to Board regulations. The Board shall not allow continuing education credit

for courses where the principal purpose of the course is to promote, sell or offer goods, products or services to funeral homes.

The amendments to section 151 of the regulations change the required hours from 5 hours for annual renewal to 10 hours for each renewal in even years. In addition, the statutory specification for hours directed to laws and regulations and preneed funeral arrangements are added to the regulation. The regulations are promulgated as an exempt action because they are: *“Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.”* (§ 2.2-4006. 4 A 4)

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On June 3, 2008, the Board of Funeral Directors and Embalmers amended section 151 of 18VAC65-20-10 et seq., Regulations of the Board of Funeral Directors and Embalmers.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

There is no impact on the institution of the family and family stability.