



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Board of Funeral Directors and Embalmers, Department of Health Professions
<b>Virginia Administrative Code (VAC) citation</b>	18VAC65-20-10 et seq.
<b>Regulation title</b>	Regulations of the Board of Funeral Directors and Embalmers
<b>Action title</b>	Requirements for cremation
<b>Final agency action date</b>	4/12/2011
<b>Document preparation date</b>	4/12/2011

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, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### 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.*

The amendments to Section 436 include: 1) inclusion of all parties permitted to sign a cremation authorization form; 2) deletion of the 24-hour waiting period and inclusion of positive identification as an alternative to visual identification of remains; 3) change from refrigeration at 40 degrees to *approximately* 40 degrees; and 4) change in the description of persons who are authorized to sign the identification form.

The action is § 2.2-4006 (A)(4) is exempt from Article 2 of the Administrative Process Act is applicable because the amendments are necessary for conformity to § 54.1-2818.1 as amended by the 2010 General Assembly and § 54.1-2811.1 as amended by the 2011 General Assembly.

### 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.*

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On April 12, 2011, the Board of Funeral Directors and Embalmers amended 18VAC65-20-436, Standards for registered crematories or funeral establishments that operate a crematory in Chapter 20, 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.*

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There is no impact on the family.