Virginia Department of
Health Professions
Board of Funeral Directors and Embalmers

Regulatory Advisory Panel

August 14, 2020
9:30 a.m.
****VIRTUAL****

Call to Order – *Mia Mimms, JD, FSL, Board President and Panel Chair*

- Welcome and Introductions

Opening Comments - *Hon. Jeremy McPike, Senate of Virginia*

Public Comment

The Board will receive public comment on agenda items at this time. The Board will not receive comment on any pending regulation process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

******For more information and instructions related to public comment, please refer to page 2 of the Agenda******

Islamic Jurisprudence and Burial Requirements - *Imam Ammar Amonette*

Charge of Regulatory Advisory Panel – *Mia Mimms*

Current Laws and Regulations for Licensure and State Comparisons – *Corie Tillman Wolf, JD, Executive Director and Elaine Yeatts, Senior Policy Analyst*

Education, Examination, and Experience Requirements – *Corie Tillman Wolf and Elaine Yeatts*

Panel Discussion and Next Steps – *Mia Mimms*

Next Meeting – September 1, 2020, 9:30 a.m.

Meeting Adjournment

This information is in **DRAFT** form and is subject to change. The official agenda and packet will be approved by the public body at the meeting and will be available to the public pursuant to Virginia Code Section 2.2-3707(F).

Virginia Board of Funeral Directors and Embalmers

Instructions for Accessing the August 14, 2020 Virtual Regulatory Advisory Panel Meeting and Providing Public Comment

- **Access**: Perimeter Center building access remains restricted to the public due to the COVID-19 pandemic. To observe this virtual meeting, use one of the options below. Participation capacity is limited and is on a first come, first serve basis due to the capacity of CISCO WebEx technology.
- **Written Public Comment**: Written comments are **strongly preferred** due to the limits of the electronic meeting platform and should be received by email to Corie.Wolf@dhp.virginia.gov no later than 12:00 noon on August 13, 2020. The written comments will be made available to the Board members for review prior to the meeting.
- **Oral Public Comment**: Oral comments will be received during the full board meeting from persons who have submitted an email to Corie.Wolf@dhp.virginia.gov no later than 12:00 noon on August 13, 2020 indicating that they wish to offer oral comment. Comment may be offered by these individuals when their name is announced by the Board President.
- Public participation connections will be muted following the public comment period.
- Please call from a location without background noise.
- Dial (804) 367-4479 to report an interruption during the broadcast.
- FOIA Council Electronic Meetings Public Comment form for submitting feedback on this electronic meeting may be accessed at http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm

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Meeting number (access code): 161 609 6681

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Copy of SB1044

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 943

An Act directing the Board of Funeral Directors and Embalmers to promulgate regulations establishing licensure requirements for funeral directors and embalmers.

[S 1044]

Approved April 9, 2020

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Funeral Directors and Embalmers shall promulgate regulations that establish the requirements of licensure for funeral directors and embalmers as defined in § 54.1-2800.*

2. That the Board of Funeral Directors and Embalmers shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

Copy of 18VAC65-11-70 Regulation regarding Regulatory Advisory Panel

PUBLIC PARTICIPATION GUIDELINES

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

18VAC65-11-70. Appointment of regulatory advisory panel.

A. The agency may appoint a regulatory advisory panel (RAP) to provide professional specialization or technical assistance when the agency determines that such expertise is necessary to address a specific regulatory issue or action or when individuals indicate an interest in working with the agency on a specific regulatory issue or action.

B. Any person may request the appointment of a RAP and request to participate in its activities. The agency shall determine when a RAP shall be appointed and the composition of the RAP.

C. A RAP may be dissolved by the agency if:

1. The proposed text of the regulation is posted on the Town Hall, published in the Virginia Register, or such other time as the agency determines is appropriate; or

2. The agency determines that the regulatory action is either exempt or excluded from the requirements of the Administrative Process Act.

Current FDE Statutes
Title 54.1, Chapter 28

Chapter 28 of Title 54.1 of the Code of Virginia

Funeral Service

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§ 54.1-2800. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Advertisement" means any information disseminated or placed before the public.

"At-need" means at the time of death or while death is imminent.

"Board" means the Board of Funeral Directors and Embalmers.

"Cremate" means to reduce a dead human body to ashes and bone fragments by the action of fire.

"Cremator" means a person or establishment that owns or operates a crematory or crematorium or cremates dead human bodies.

"Crematory" or "crematorium" means a facility containing a furnace for cremation of dead human bodies.

"Embalmer" means any person engaged in the practice of embalming.

"Embalming" means the process of chemically treating the dead human body by arterial injection and cavity treatment or, when necessary, hypodermic tissue injection to reduce the presence and growth of microorganisms to temporarily retard organic decomposition.

"Funeral directing" means the for-profit profession of directing or supervising funerals, preparing human dead for burial by means other than embalming, or making arrangements for funeral services or the financing of funeral services.

"Funeral director" means any person engaged in the practice of funeral directing.

"Funeral service establishment" means any main establishment, branch, or chapel that is permanently affixed to the real estate and for which a certificate of occupancy has been issued by the local building official where any part of the profession of funeral directing, the practice of funeral services, or the act of embalming is performed.

"Funeral service intern" means a person who is preparing to be licensed for the practice of funeral services under the direct supervision of a practitioner licensed by the Board.

"Funeral service licensee" means a person who is licensed in the practice of funeral services.

"In-person communication" means face-to-face communication and telephonic communication.

"Next of kin" means any of the following persons, regardless of the relationship to the decedent: any person designated to make arrangements for the disposition of the decedent's remains upon his death pursuant to § 54.1-2825, the legal spouse, child aged 18 years or older, parent of a decedent aged 18 years or older, custodial parent or noncustodial parent of a decedent younger

than 18 years of age, siblings over 18 years of age, guardian of minor child, guardian of minor siblings, maternal grandparents, paternal grandparents, maternal siblings over 18 years of age and paternal siblings over 18 years of age, or any other relative in the descending order of blood relationship.

"Practice of funeral services" means engaging in the care and disposition of the human dead, the preparation of the human dead for the funeral service, burial or cremation, the making of arrangements for the funeral service or for the financing of the funeral service and the selling or making of financial arrangements for the sale of funeral supplies to the public.

"Preneed" means at any time other than at-need.

"Preneed funeral contract" means any agreement where payment is made by the consumer prior to the receipt of services or supplies contracted for, which evidences arrangements prior to death for (i) the providing of funeral services or (ii) the sale of funeral supplies.

"Preneed funeral planning" means the making of arrangements prior to death for (i) the providing of funeral services or (ii) the sale of funeral supplies.

"Solicitation" means initiating contact with consumers with the intent of influencing their selection of a funeral plan or funeral service provider.

Code 1950, § 54-260.1; 1956, c. 220; 1972, c. 797, § 54-260.67; 1988, c. 765; 1989, c. 684; 1991, c. 539; 1997, c. 116; 1998, cc. 718, 867; 2003, c. 505; 2006, c. 56; 2015, cc. 534, 670.

§ 54.1-2801. Exemptions.

A. The provisions of this chapter shall not apply to any officer of local or state institutions or to the burial of the bodies of inmates of state institutions when buried at the expense of the Commonwealth or any of its political subdivisions.

B. Any person holding a license as a funeral director or embalmer or an equivalent in another state, having substantially similar requirements as the Board, may apply to the Board for courtesy card privileges to remove bodies from and to arrange funerals or embalm bodies in this Commonwealth. However, these privileges shall not include the right to establish or engage generally in the business of funeral directing and embalming in Virginia.

(Code 1950, §§ 54-260.1, 54-260.22 through 54-260.30, 54-260.32; 1956, c. 220; 1966, c. 284, § 54-260.70; 1972, c. 797, § 54-260.67; 1973, c. 296; 1974, c. 686; 1978, c. 849; 1986, c. 43; 1988, c. 765.)

§ 54.1-2802. Board; appointment; terms; vacancies; meetings; quorum.

The Board of Funeral Directors and Embalmers shall consist of nine members as follows: seven funeral service licensees of the Board with at least five consecutive years of funeral service practice in the Commonwealth immediately prior to appointment and two nonlegislative citizen

members. The terms of office shall be for four years from July 1. Appointments shall be made annually on or before June 30 as the terms of the members respectively expire. Appointments to the Board should generally represent the geographical areas of the Commonwealth. The Board shall annually elect a president, a vice-president, and a secretary-treasurer.

The Board shall hold at least two meetings each year. In addition, the Board may meet as often as its duties require. Five members shall constitute a quorum.

1988, cc. 42, 765; 2000, c. 773; 2015, c. 534.

§ 54.1-2803. Specific powers and duties of Board.

In addition to the general powers and duties conferred in this subtitle, the Board shall have the following specific powers and duties to:

1. Establish standards of service and practice for the funeral service profession in the Commonwealth.

2. Regulate and inspect funeral service establishments, their operation and licenses.

3. Require licensees and funeral service interns to submit all information relevant to their practice or business.

4. Enforce the relevant regulations of the Board of Health.

5. Enforce local ordinances relating to funeral service establishments.

6. Advise the Department of Health Professions of any training appropriate for inspectors serving as the Board's agents.

7. Establish, supervise, regulate and control, in accordance with the law, programs for funeral service interns.

8. Establish standards for and approve schools of mortuary science or funeral service.

9. Regulate preneed funeral contracts and preneed funeral trust accounts as prescribed by this chapter, including, but not limited to, the authority to prescribe preneed contract forms, disclosure requirements and disclosure forms and to require reasonable bonds to insure performance of preneed contracts.

10. Inspect crematories and their operations.

(Code 1950, §§ 54-260.3, 54-260.4, 54-260.6, 54-260.7, 54-260.11 through 54-260.14, 54-260.16 through 54-260.18, 54-260.20, 54-260.21, 54-260.45 through 54-260.49; 1956, c. 220; 1960, c. 61, § 54-260.69; 1966, c. 283, § 54-260.65; 1970, c. 385; 1972, c. 797, §§ 54-260.64,

54-260.68; 1978, c. 849; 1979, c. 650; 1980, c. 728; 1984, cc. 627, 704; 1988, c. 765; 1989, c. 684; 2000, c. 773; 2003, c. 505; 2006, c. 56.)

§ 54.1-2804. Licensing authority.

The Board is authorized to determine the qualifications to enable any person to engage in the practice of funeral service, preneed funeral planning, funeral directing, embalming and the operation of a funeral service establishment. The Board shall promulgate regulations that establish the requirements of licensure for funeral directors and embalmers.

Code 1950, § 54-260.70; Code 1950, §§ 54-260.22 through 54-260.30, 54-260.32; 1956, c. 220; 1966, c. 284, § 54-260.70; 1972, c. 797; 1973, c. 296; 1974, c. 686; 1978, c. 849; 1986, c. 43; 1988, c. 765; 1989, c. 684; 2020, c. 943.

§ 54.1-2805. Engaging in the practice of funeral services or the business of preneed funeral planning or acting as a funeral director or embalmer without a license.

A. It shall be unlawful for any person to engage in or hold himself out as engaging in the practice of funeral services or the business of preneed funeral planning, to operate a funeral service establishment, or to act as a funeral director or embalmer or hold himself out as such unless he is licensed by the Board. Engaging in the practice of funeral services, preneed funeral planning, operating a funeral service establishment, or acting as a funeral director or embalmer shall be recognized as that of a health profession.

B. Notwithstanding the provisions of subsection A, a person who is duly enrolled in a mortuary education program in the Commonwealth may assist in embalming while under the immediate supervision of a funeral service licensee or embalmer with an active, unrestricted license issued by the Board, provided that such embalming occurs in a funeral service establishment licensed by the Board and in accordance with regulations promulgated by the Board.

1974, c. 257, § 54-260.73:1; 1988, c. 765; 1989, c. 684; 2000, c. 773; 2018, c. 186.

§ 54.1-2806. Refusal, suspension, or revocation of license, registration, or courtesy card.

A. As used in this section, "license" shall include any license, registration, or courtesy card issued by the Board.

B. The Board may refuse to admit a candidate to any examination, refuse to issue a license to any applicant and may suspend a license for a stated period or indefinitely, or revoke any license or censure or reprimand any licensee or place him on probation for such time as it may designate for any of the following causes:

1. Conviction of any felony or any crime involving moral turpitude;

2. Unprofessional conduct that is likely to defraud or to deceive the public or clients;

3. Misrepresentation or fraud in the conduct of the funeral service profession, or in obtaining or renewing a license;

4. False or misleading advertising or solicitation;

5. Solicitation at-need or any preneed solicitation using in-person communication by the licensee, his agents, assistants or employees; however, general advertising and preneed solicitation, other than in-person communication, shall be allowed;

6. Employment by the licensee of persons known as "cappers" or "steerers," or "solicitors," or other such persons to obtain the services of a holder of a license for the practice of funeral service;

7. Employment directly or indirectly of any agent, employee or other person, on part or full time, or on a commission, for the purpose of calling upon individuals or institutions by whose influence dead human bodies may be turned over to a particular funeral establishment;

8. Direct or indirect payment or offer of payment of a commission to others by the licensee, his agents, or employees for the purpose of securing business;

9. Use of alcohol or drugs to the extent that such use renders him unsafe to practice his licensed activity;

10. Aiding or abetting an unlicensed person to practice within the funeral service profession;

11. Using profane, indecent, or obscene language within the immediate hearing of the family or relatives of a deceased, whose body has not yet been interred or otherwise disposed of;

12. Solicitation or acceptance by a licensee of any commission or bonus or rebate in consideration of recommending or causing a dead human body to be disposed of in any crematory, mausoleum, or cemetery;

13. Violation of any statute, ordinance, or regulation affecting the handling, custody, care, or transportation of dead human bodies;

14. Refusing to surrender promptly the custody of a dead human body upon the express order of the person lawfully entitled to custody;

15. Knowingly making any false statement on a certificate of death;

16. Violation of any provisions of Chapter 7 (§ 32.1-249 et seq.) of Title 32.1;

17. Failure to comply with § 54.1-2812, and to keep on file an itemized statement of funeral expenses in accordance with Board regulations;

18. Knowingly disposing of parts of human remains, including viscera, that are received with the body by the funeral establishment, in a manner different from that used for final disposition of the body, unless the persons authorizing the method of final disposition give written permission that the body parts may be disposed of in a manner different from that used to dispose of the body;

19. Violating or failing to comply with Federal Trade Commission rules regulating funeral industry practices;

20. Violating or cooperating with others to violate any provision of Chapter 1 (§ 54.1-100 et seq.), Chapter 24 (§ 54.1-2400 et seq.), this chapter, or the regulations of the Board of Funeral Directors and Embalmers or the Board of Health;

21. Failure to comply with the reporting requirements as set forth in § 54.1-2817 for registered funeral service interns;

22. Failure to provide proper and adequate supervision and training instruction to registered funeral service interns as required by regulations of the Board;

23. Violating any statute or regulation of the Board regarding the confidentiality of information pertaining to the deceased or the family of the deceased or permitting access to the body in a manner that is contrary to the lawful instructions of the next-of-kin of the deceased;

24. Failure to include, as part of the general price list for funeral services, a disclosure statement notifying the next of kin that certain funeral services may be provided off-premises by other funeral service providers;

25. Disciplinary action against a license, certificate, or registration issued by another state, the District of Columbia, or territory or possession of the United States;

26. Failure to ensure that a dead human body is maintained in refrigeration at no more than approximately 40 degrees Fahrenheit or embalmed if it is to be stored for more than 48 hours prior to disposition. A dead human body shall be maintained in refrigeration and shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order; and

27. Mental or physical incapacity to practice his profession with safety to the public.

Code 1950, §§ 54-260.50, 54-260.59; 1956, c. 220; 1972, c. 797, § 54-260.74; 1979, c. 720; 1981, c. 258; 1986, c. 91; 1988, c. 765; 1989, c. 684; 1990, c. 363; 1996, c. 142; 2003, c. 505; 2006, c. 56; 2010, c. 324; 2015, c. 534; 2020, c. 885.

§ 54.1-2807. Other prohibited activities.

A. A person licensed for the practice of funeral service shall not (i) remove or embalm a body when he has information indicating the death was such that an investigation by the Office of the

Chief Medical Examiner is required pursuant to § 32.1-283 or 32.1-285.1 or (ii) cremate or bury at sea a body until he has obtained permission of the Office of the Chief Medical Examiner as required by § 32.1-309.3.

B. Except as provided in § 32.1-301 and Chapter 8.1 (§ 32.1-309.1 et seq.) of Title 32.1, funeral service establishments shall not accept a dead human body from any public officer, except the Chief Medical Examiner, an Assistant Chief Medical Examiner, or a medical examiner appointed pursuant to § 32.1-282, or from any public or private facility or person having a professional relationship with the decedent without having first inquired about the desires of the next of kin and the persons liable for the funeral expenses of the decedent. The authority and directions of any next of kin shall govern the disposal of the body, subject to the provisions of § 54.1-2807.01 or 54.1-2825.

Any funeral service establishment violating this subsection shall not charge for any service delivered without the directions of the next of kin. However, in cases of accidental or violent death, the funeral service establishment may charge and be reimbursed for the removal of bodies and rendering necessary professional services until the next of kin or the persons liable for the funeral expenses have been notified.

C. No company, corporation, or association engaged in the business of paying or providing for the payment of the expenses for the care of the remains of deceased certificate holders or members or engaged in providing life insurance when the contract might or could give rise to an obligation to care for the remains of the insured shall contract to pay or pay any benefits to any licensee of the Board or other individual in a manner which could restrict the freedom of choice of the representative or next of kin of a decedent in procuring necessary and proper services and supplies for the care of the remains of the decedent.

D. No person licensed for the practice of funeral service or preneed funeral planning or any of his agents shall interfere with the freedom of choice of the general public in the choice of persons or establishments for the care of human remains or of preneed funeral planning or preneed funeral contracts.

E. This section shall not be construed to apply to the authority of any administrator, executor, trustee, or other person having a fiduciary relationship with the decedent.

(Code 1950, §§ 54-260.50, 54-260.59; 1956, c. 220; 1972, c. 797, § 54-260.74; 1979, c. 720; 1981, c. 258; 1986, c. 91; 1988, c. 765; 1989, c. 684; 1993, c. 965; 2005, c. 905; 2010, c. 383; 2014, cc. 228, 583.)

§ 54.1-2807.01. When next of kin disagree.

A. In the absence of a designation under § 54.1-2825, when there is a disagreement among a decedent's next of kin concerning the arrangements for his funeral or the disposition of his remains, any of the next of kin may petition the circuit court where the decedent resided at the time of his death to determine which of the next of kin shall have the authority to make

arrangements for the decedent's funeral or the disposition of his remains. The court may require notice to and the convening of such of the next of kin as it deems proper.

B. In determining the matter before it, the court shall consider the expressed wishes, if any, of the decedent, the legal and factual relationship between or among the disputing next of kin and between each of the disputing next of kin and the decedent, and any other factor the court considers relevant to determine who should be authorized to make the arrangements for the decedent's funeral or the disposition of his remains.

(2010, c. 383.)

§ 54.1-2807.02. Absence of next of kin.

In the absence of a next of kin, a person designated to make arrangements for the decedent's burial or the disposition of his remains pursuant to § 54.1-2825, an agent named in an advance directive pursuant to § 54.1-2984, or any guardian appointed pursuant to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2 who may exercise the powers conferred in the order of appointment or by § 64.2-2019, or upon the failure or refusal of such next of kin, designated person, agent, or guardian to accept responsibility for the disposition of the decedent, then any other person 18 years of age or older who is able to provide positive identification of the deceased and is willing to pay for the costs associated with the disposition of the decedent's remains shall be authorized to make arrangements for such disposition of the decedent's remains. If a funeral service establishment or funeral service licensee makes arrangements with a person other than a next of kin, designated person, agent, or guardian in accordance with this section, then the funeral service licensee or funeral service establishment shall be immune from civil liability unless such act, decision, or omission resulted from bad faith or malicious intent.

(2014, c. 355.)

§ 54.1-2807.1. Confidentiality of information on infectious diseases.

All information received by any person practicing funeral services or his agent regarding the fact that any dead body which they have received harbors an infectious disease shall be confidential, and disclosure of such information shall be grounds for disciplinary action against the funeral service licensee pursuant to § 54.1-2806.

Notification that a dead body harbors an infectious disease will not constitute grounds for any funeral director's refusal to accept the body.

(1988, c. 836, § 54-260.74:2.)

§ 54.1-2808.

Repealed by Acts 1998, c. 867.

§ 54.1-2808.1. Disposition of cremains.

Except as otherwise provided in § 54.1-2808.2, a funeral director may dispose of the cremains of an individual by interment, entombment, inurnment, or by scattering of the cremains, if after 120 days from the date of cremation, the contracting agent has not claimed the cremains or instructed the funeral director as to final disposition. The funeral director shall keep a permanent record of all cremains which identifies the method and site of final disposition. The costs and all reasonable expenses incurred in disposing of the cremains shall be borne by the contracting agent. Upon the disposition of the cremains, the funeral director shall not be liable for the cremains or for the method of final disposition. Except as otherwise provided in § 54.1-2808.2, any funeral director in possession of unclaimed cremains prior to July 1, 1993, may dispose of such cremains in accordance with the provisions of this section. However, no funeral director shall, without written permission of the contracting agent, dispose of cremains in a manner or a location in which the cremains of the deceased are commingled, except in the scattering of cremains at sea, by air, or in an area used exclusively for such purpose, or place, temporarily, the cremains of persons in the same container or urn.

For the purposes of this section and § 54.1-2808.2, "contracting agent" means any person, organization, association, institution, or group of persons who contracts with a funeral director or funeral establishment for funeral services.

1993, c. 531; 2012, cc. 24, 120; 2015, c. 138.

§ 54.1-2808.2. Identification of unclaimed cremains of veterans.

A. For the purposes of this section:

"Eligible dependent" means a veteran's spouse, a veteran's unmarried child younger than 21 years of age, or veteran's unmarried adult child who before the age of 21 became permanently incapable of self-support because of physical or mental disability.

"Veterans service organization" means an association or other entity organized for the benefit of veterans that has been recognized by the U.S. Department of Veterans Affairs or chartered by Congress and any employee or representative of such association or entity.

B. If the contracting agent has not claimed the cremains or instructed the funeral director as to final disposition within 90 days from the date of cremation, the funeral director shall provide names and any other identifying information of the unclaimed cremains to the Department of Veterans Services or a veterans service organization in order for the Department or organization to determine if the unclaimed cremains are those of a veteran or eligible dependent. The names and any personal identifying information submitted by a funeral director to the Department of Veterans Services or veterans service organization in compliance with this section shall be exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

C. The Department of Veterans Services or veterans service organization shall notify the funeral director within 45 days of receipt of the information required by subsection B if the cremains are those of a veteran or eligible dependent and, if so, whether such veteran or eligible dependent is eligible for burial in a veterans cemetery in order to permit the transfer of the unclaimed

cremains to a veterans cemetery. If the cremains are those of an eligible veteran or eligible dependent, a funeral director may transfer the cremains to the Department of Veterans Services or a veterans service organization for the purpose of disposition of such cremains.

D. No disposal of the unclaimed cremains of an eligible veteran or eligible dependent shall be made until the funeral director has notified the Department of Veterans Services or a veterans service organization and has received a determination as to whether the cremains are those of an eligible veteran or eligible dependent. Absent bad faith or malicious intent, no funeral director who transfers the cremains of a veteran or eligible dependent to the Department of Veterans Services or a veterans service organization for purposes of disposition or a veterans service organization that receives cremains for the purposes of disposition as provided in this section shall be liable for civil negligence.

2012, cc. 24, 120; 2015, c. 138.

§ 54.1-2808.3. Acceptance of third-party-provided caskets.

A. When arrangements for funeral services have been made with a licensed funeral service establishment, funeral service licensees shall accept caskets provided by third parties in accordance with 16 C.F.R. Part 453, Funeral Industry Practices, Federal Trade Commission.

B. No funeral service establishment or funeral service licensee shall be required to store a casket provided by a third party when preneed arrangements for funeral services have been made.

C. Any person selling or providing preneed caskets shall be subject to the same preneed requirements as set forth in 16 C.F.R. Part 453, Funeral Industry Practices, Federal Trade Commission, and § 54.1-2820.

2018, c. 378; 2019, cc. 93, 603; 2020, c. 97.

§ 54.1-2809. Penalties.

Any person, partnership, corporation, association, or its agents or employees who violate any of the provisions of this chapter shall be guilty of a Class 1 misdemeanor.

(Code 1950, § 54-260.61; 1956, c. 220; 1972, c. 797, § 54-260.75; 1988, c. 765.)

§ 54.1-2810. Licensure of funeral establishments.

No person shall conduct, maintain, manage or operate a funeral establishment unless a license for each such establishment has been issued by the Board. No license to operate a funeral establishment shall be issued by the Board unless each such funeral establishment has in charge, full time, a person licensed for the practice of funeral service or a licensed funeral director. Applications for funeral establishment licenses shall be made on forms furnished by the Board and filed by the owner or the registered agent of the corporation with the Board.

Each funeral establishment license shall expire annually at a time prescribed by Board regulation. A license may be renewed within 30 days of its expiration. Upon expiration of the license, the Board shall notify each licensee of the provisions of this section. Renewal of a license after the expiration of the 30-day period shall be in the discretion of the Board.

Violations of any provisions of this chapter or any Board regulations by any person, or an officer, agent or employee with the knowledge or consent of any person operating a funeral establishment shall be considered sufficient cause for suspension or revocation of the funeral establishment license.

An operator of a funeral establishment shall not allow any person licensed for the practice of funeral service to operate out of his funeral establishment unless the licensee is the operator or an employee of the operator of a licensed funeral establishment.

If the manager of the funeral service establishment is unable, for any reason, to exercise adequate supervision, direction, management, and control of the funeral establishment, the owner shall designate any funeral service licensee to serve as a temporary manager and notify the Board in writing within 14 days. If such inability of the manager exceeds 90 days or is expected to exceed 90 days, a new manager shall be designated and registered with the Board. At the conclusion of the 90-day period for designation of a new manager, a funeral service establishment which has failed to designate a new manager shall not operate as a funeral service establishment.

When licensing funeral establishments, the Board may grant a hardship waiver from the requirement for a full-time manager licensed for the practice of funeral service or licensed as a funeral director, allowing the operation of two funeral establishments having in charge one full-time person licensed for the practice of funeral service or one licensed funeral director who divides his time between the two funeral establishments. Prior to granting a hardship waiver, the Board shall find that (i) the two establishments have been in operation for at least three years; (ii) the combined average number of funeral calls at the two establishments, as submitted in monthly reports to the Division of Vital Records and Health Statistics of the Virginia Department of Health, over the previous three years is no more than 135 per year; and (iii) the distance between the two establishments is 50 miles or less.

Prior to granting a renewal of a license granted under a hardship waiver, the Board shall determine whether the requirements for license renewal under such waiver continue to exist.

Code 1950, §§ 54-260.39, 54-260.40; 1956, c. 220; 1972, c. 797, § 54-260.73; 1974, 164; 1978, c. 849; 1988, c. 765; 1996, c. 757; 2000, c. 773; 2013, c. 108; 2019, c. 66.

§ 54.1-2811. Facility requirements.

A funeral service establishment shall contain a preparation room equipped with a tile, cement or other waterproof floor, proper drainage and ventilation, the necessary instruments and supplies for the preparation and embalming of dead human bodies for burial, transportation or other disposition, and separate restroom facilities.

A funeral service establishment having more than one location at which it performs funeral services shall not be required to maintain more than one preparation room.

The Board may adopt regulations and classifications to prescribe proper drainage and ventilation and necessary instruments and supplies in preparation rooms and separate restroom facilities.

(Code 1950, §§ 54-260.39, 54-260.40; 1956, c. 220; 1972, c. 797, § 54-260.73; 1974, 164; 1978, c. 849; 1988, c. 765.)

§ 54.1-2811.1. Handling and storage of human remains.

A. Upon taking custody of a dead human body, a funeral service establishment shall maintain such body in a manner that provides complete coverage of the body and that is resistant to leakage or spillage, except during embalming or preparation of an unembalmed body for final disposition; restoration and dressing of a body in preparation for final disposition; and viewing during any visitation and funeral service.

B. If a dead human body is to be stored for more than 48 hours prior to disposition, a funeral services establishment having custody of such body shall ensure that the dead human body is maintained in refrigeration at no more than approximately 40 degrees Fahrenheit or embalmed. A dead human body shall be maintained in refrigeration and shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order.

C. If a dead human body is to be stored for more than 10 days prior to disposition at a location other than a funeral service establishment, the funeral service establishment shall disclose to the contract buyer the location where the body is to be stored and the method of storage.

D. Funeral services establishments, crematories, or transportation services shall not transport animal remains together with dead human bodies. Further, animal remains shall not be refrigerated in a unit where dead human bodies are being stored.

(2010, c. 823.)

§ 54.1-2812. Itemized statement and general price list of funeral expenses to be furnished.

Every person licensed pursuant to the provisions of this chapter shall furnish a written general price list and a written itemized statement of charges in connection with the care and disposition of the body of a deceased person.

Individuals inquiring in person about funeral arrangements or the prices of funeral goods shall be given the general price list. Upon beginning discussion of funeral arrangements or the selection of any funeral goods or services, the general price list must be offered by the funeral licensee.

The itemized statement shall include, but not be limited to, the following charges: casket, other funeral merchandise, vault or other burial receptacle, facilities used, transportation costs, embalming, preparation of the body, other professional services used and disclosure statements

required by the Federal Trade Commission, which shall be set forth in a clear and conspicuous manner.

Further, there shall be included a statement of all anticipated cash advances and expenditures requested by the person contracting for the funeral arrangements and such other items as required by regulation of the Board of Funeral Directors and Embalmers. The statement shall be furnished to the person contracting for funeral arrangements at the time such arrangements are made if the person is present and, if not present, no later than the time of the final disposition of the body.

The general price list and itemized statement of funeral expenses shall comply with forms prescribed by regulation of the Board. All regulations promulgated herewith shall promote the purposes of this section.

(1979, c. 8, § 54-260.71:1; 1986, c. 42; 1988, c. 765.)

§ 54.1-2813. License for the practice of funeral service.

To be licensed for the practice of funeral service, a person shall (i) be at least 18 years of age; (ii) hold a high school diploma or its equivalent; (iii) have completed a funeral service internship prescribed by the Board in regulation; (iv) have graduated from a school of mortuary science or funeral service approved by the Board; and (v) have passed the examination for licensure.

The Board, in its discretion, may license an individual convicted of a felony if he has successfully fulfilled all conditions of sentencing, been pardoned, or has had his civil rights restored.

The Board, in its discretion, may refuse to license an individual who has a criminal or disciplinary proceeding pending against him in any jurisdiction in the United States.

(Code 1950, § 54-260.70; Code 1950, §§ 54-260.22 through 54-260.30, 54-260.32; 1956, c. 220; 1966, c. 284, § 54-260.70; 1972, c. 797; 1973, c. 296; 1974, c. 686; 1978, c. 849; 1986, c. 43; 1988, c. 765; 1990, c. 363; 2005, c. 477; 2006, c. 56.)

§ 54.1-2814. Examination.

Each applicant for license for the practice of funeral service shall be examined in writing on:

1. Basic and health sciences including anatomy, chemistry, bacteriology, pathology, hygiene and public health;

2. Funeral service arts and sciences including embalming and restorative art;

3. Funeral service administration including accounting, funeral law, psychology, and funeral principles, directing and management.

The Board may recognize other examinations that it considers equivalent to its examination.

(Code 1950, § 54-260.70; Code 1950, §§ 54-260.22 through 54-260.30, 54-260.32; 1956, c. 220; 1966, c. 284, § 54-260.70; 1972, c. 797; 1973, c. 296; 1974, c. 686; 1978, c. 849; 1986, c. 43; 1988, c. 765; 2000, c. 773.)

§ 54.1-2814.1. Registration as a cremator.

A. No crematorium, cemeterian, memorial society, or other establishment, organization, or person shall cremate a dead human body without having registered with the Board as a cremator.

B. The Board shall prescribe the procedures for registration under this section. Such procedures shall include a requirement that any crematory registered with the Board that engages in the practice of funeral services operate in compliance with the provisions § 54.1-2810. However, nothing in this subsection shall require a crematory registered with the Board to obtain a license as a funeral service establishment as long as the crematory provides cremation services directly to or for a licensed funeral service establishment only and not to the general public.

C. The Board may suspend or revoke any crematory registration or deny any application for such registration, or refuse to issue or renew any such registration, if the Board finds that the applicant or registrant has violated any provision of this chapter, the Board's regulations, or if the Board finds the crematory has operated or is operating in a manner that endangers the health, safety or welfare of the public.

(2000, c. 773; 2003, c. 505.)

§ 54.1-2815. Application for license; how license signed; duration.

All applications for examination for a license for the practice of funeral service shall be upon forms furnished by the Board.

All licenses shall be issued or renewed for a period prescribed by the Board, not exceeding two years.

1978, c. 849, § 54-260.70:1; 1988, c. 765; 2015, c. 534.

§ 54.1-2816. License renewal; failure to return renewal form.

Prior to the expiration of a license, the Board shall provide to each person licensed to practice funeral service, embalming, or funeral directing a renewal notice to be submitted to the Board together with the prescribed fee. The Board shall provide renewal notices by mail or electronically to any licensee. The license of any person who does not submit the completed form prior to the date of expiration shall automatically expire. The Board shall immediately notify the person of the expiration and the reinstatement requirements. The Board shall reinstate an expired license upon receipt, within 30 days of the notice of expiration, of the completed form and the prescribed fee. Reinstatement after the 30-day period shall be at the discretion of the Board.

1978, c. 849, § 54-260.70:2; 1988, c. 765; 2005, c. 477; 2018, c. 101.

§ 54.1-2816.1. Continuing education requirements; promulgation of regulations.

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 hours per year, 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 include, but not be limited to, at least one hour per year covering compliance with federal or state 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.

C. All course providers shall furnish written certification to licensees of the Board attending and completing respective courses, indicating the satisfactory completion of an approved continuing education course. Each course provider shall retain records of all persons attending and those persons satisfactorily completing such continuing education courses for a period of two years following each course. Applicants for renewal or reinstatement of licenses issued pursuant to this article shall retain for a period of two years the written certification issued by any Board-approved provider of continuing education courses. The Board may require course providers or licensees to submit copies of such records or certification, as it deems necessary, to ensure compliance with continuing education requirements.

D. The Board shall have the authority to grant exemptions or waivers in cases of certified illness or undue hardship.

E. The Board may provide for an inactive status for those licensees who do not practice in Virginia. The Board may adopt regulations reducing or waiving continuing education requirements for any licensee granted such inactive status. However, no licensee granted inactive status may have their license changed to active status without first obtaining additional continuing education hours as may be determined by the Board. No person or registrant shall practice in Virginia as an embalmer, funeral director, or funeral service licensee unless he holds a current, active license.

(2002, c. 270; 2008, c. 396; 2012, c. 497.)

§ 54.1-2817. Funeral service interns.

A person desiring to become a funeral service intern shall apply on a form provided by the Board. The applicant shall attest that he holds a high school diploma or its equivalent. The Board, in its discretion, may approve an application to be a funeral service intern for an individual convicted of a felony, if he has successfully fulfilled all conditions of sentencing, been

pardoned, or has had his civil rights restored. The Board shall not, however, approve an application to be a funeral service intern for any person convicted of embezzlement or of violating subsection B of § 18.2-126.

The Board, in its discretion, may refuse to approve an application to be a funeral service intern for an individual who has a criminal or disciplinary proceeding pending against him in any jurisdiction in the United States.

When the Board is satisfied as to the qualifications of an applicant, it shall issue a certificate of internship. When a funeral service intern wishes to receive in-service training from a person licensed for the practice of funeral service, a request shall be submitted to the Board. If such permission is granted and the funeral service intern later leaves the proctorship of the licensee whose service has been entered, the licensee shall give the funeral service intern an affidavit showing the length of time served with him. The affidavit shall be filed with the Board and made a matter of record in that office. Any funeral service intern seeking permission to continue in-service training shall submit a request to the Board.

A certificate of internship shall be renewable as prescribed by the Board. The Board shall mail or send electronically at such time as it may prescribe by regulation, to each registered funeral service intern at his last known address, a notice that the renewal fee is due and that, if not paid by the prescribed time, a penalty fee shall be due in addition to the renewal fee.

The registration of any funeral service intern who is in the active military service of the United States may, at the discretion of the Board, be held in abeyance for the duration of his service. The Board may also waive the renewal fees for such military personnel.

All registered funeral service interns shall report to the Board on a schedule prescribed by the Board upon forms provided by the Board, showing the work which has been completed during the preceding period of internship. The data contained in the report shall be certified as correct by the person licensed for the practice of funeral service under whom he has served during this period and by the person licensed for the practice of funeral service owning or managing the funeral service establishment.

Before such funeral service intern becomes eligible to be examined for the practice of funeral service, evidence shall be presented along with an affidavit from any licensee under whom the intern worked showing that the intern has assisted in embalming at least 25 bodies and that the intern has assisted in conducting at least 25 funerals. In all applications of funeral service interns for licenses for the practice of funeral service, the eligibility of the applicant shall be determined by the records filed with the Board. The successful completion by any person of the internship shall not entitle him to any privilege except to be examined for such license.

Credit shall not be allowed for any period of internship that has been completed more than three years prior to application for license or more than five years prior to examination for license. If all requirements for licensure are not completed within five years of initial application, the Board may deny an additional internship. A funeral service intern may continue to practice for up to 90 days from the completion of his internship or until he has taken and received the results of all

examinations required by the Board. However, the Board may waive such limitation for any person in the armed service of the United States when application for the waiver is made in writing within six months of leaving service or if the Board determines that enforcement of the limitation will create an unreasonable hardship.

The Board shall have power to suspend or revoke a certificate of internship for violation of any provision of this chapter.

No more than two funeral service interns shall be concurrently registered under any one person licensed for the practice of funeral service, funeral directing or embalming. Each sponsor for a registered funeral service intern must be actively employed by or under contract with a funeral establishment.

Code 1950, §§ 54-260.34 through 54-260.38; 1956, c. 220; 1970, c. 513, § 54-260.72; 1972, c. 797; 1973, c. 296; 1974, c. 157; 1978, c. 849; 1981, c. 258; 1986, c. 43; 1988, c. 765; 2005, c. 477; 2006, c. 56; 2018, c. 101.

§ 54.1-2818. Registration and display of licenses.

A copy of all licenses shall be displayed in a conspicuous place in each establishment in which the licensee practices.

(Code 1950, § 54-260.31; 1956, c. 220; 1972, c. 797, § 54-260.71; 1988, c. 765.)

§ 54.1-2818.1. Prerequisites for cremation.

No dead human body shall be cremated without permission of the Office of the Chief Medical Examiner as required by § 32.1-309.3 and visual identification of the deceased by the next-of-kin or his representative, who may be any person designated to make arrangements for the disposition of the decedent's remains pursuant to § 54.1-2825, an agent named in an advance directive pursuant to § 54.1-2984, or any guardian appointed pursuant to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2 who may exercise the powers conferred in the order of appointment or by § 64.2-2019, or, in cases in which the next of kin or his representative fails or refuses to provide visual identification of the deceased, by any other person 18 years of age or older who is able to provide positive identification of the deceased. If no such next of kin or his representative or other person 18 years of age or older is available or willing to make visual identification of the deceased, such identification shall be made by a member of the primary law-enforcement agency of the city or county in which the person or institution having initial custody of the body is located, pursuant to court order. When visual identification is not feasible, other positive identification of the deceased may be used as a prerequisite for cremation. Unless such act, decision, or omission resulted from bad faith or malicious intent, the funeral service establishment, funeral service licensee, crematory, cemetery, primary law-enforcement officer, sheriff, county, or city shall be immune from civil liability for any act, decision, or omission resulting from cremation. Nothing in this section shall prevent a law-enforcement agency other than the primary law-enforcement agency from performing the duties established by this section

if so requested by the primary law-enforcement agency and agreed to by the other law-enforcement agency.

1998, c. 867; 2010, c. 377; 2011, c. 88; 2014, cc. 228, 355, 583; 2015, c. 670.

§ 54.1-2818.2. Inapplicability to officers of state and local institutions.

Nothing in this article shall be applicable to any officer of any institution operated by the Commonwealth or by any county, city or town in the performance of his duties as such.

(1998, c. 867.)

§ 54.1-2818.3. Applications for registration required.

Any crematory shall apply for and receive a registration from the Board as a registered crematory. However, this section shall not supersede or restrict the provisions of § 54.1-2814.1.

(1998, c. 867; 2003, c. 505.)

§ 54.1-2818.4. Immunity from liability for services after organ and tissue donation.

Unless such act, decision, or omission resulted from bad faith or malicious intent, any funeral service establishment, funeral service licensee, crematory, or registered crematory that receives a body following donation of organs, tissues, or eyes shall be immune from civil liability for any failure to restore such decedent's form or features in a manner acceptable for viewing prior to the final disposition of the remains.

(2009, c. 811.)

§ 54.1-2818.5. Request for life insurance information; notification of beneficiaries.

A. In any case in which a funeral service provider licensed pursuant to this chapter believes that a decedent for whom funeral services are being provided is insured under an individual or group life insurance policy, the funeral service provider may request information regarding the deceased person's life insurance policy from the life insurer believed to have issued the policy. Such request for information shall include (i) a copy of the deceased person's death certificate filed in accordance with § 32.1-263; (ii) written authorization for the funeral service provider's submission of the request that is executed by a person designated to make arrangements for the decedent's burial or disposition of his remains pursuant to § 54.1-2825, an agent named in an advance directive pursuant to § 54.1-2984, a guardian appointed pursuant to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2 who may exercise the powers conferred in the order of appointment or by § 64.2-2019, or the next of kin as defined in § 54.1-2800; and (iii) if the deceased person was covered or is believed to have been covered under a group life insurance policy, the affiliation of the deceased person entitling the deceased to coverage under the group life insurance policy.

B. Upon receipt of the information requested pursuant to subsection A, if the beneficiary of record under the life insurance contract or group life insurance policy is not the estate of the deceased person, the requesting funeral service provider shall make all reasonable efforts to contact all the beneficiaries of record within four calendar days of receiving such information and provide to the beneficiaries all information provided to the funeral service provider by the life insurer. The funeral service provider shall, prior to providing any information to the beneficiaries in accordance with this subsection, inform the beneficiaries that the beneficiary of a life insurance policy has no legal duty or obligation to pay any amounts associated with the provision of funeral services or the debts or obligations of the deceased person.

2017, c. 482.

§ 54.1-2819. Registration of surface transportation and removal services.

Any person or private business, except a common carrier engaged in interstate commerce, the Commonwealth and its agencies, or an emergency medical services agency holding a permit issued by the Commissioner of Health pursuant to § 32.1-111.6, shall apply for and receive a registration as a transportation and removal service in order to be authorized to engage in the business of surface transportation or removal of dead human bodies in the Commonwealth. Surface transportation and removal services shall not arrange or conduct funerals, provide for the care or preparation, including embalming, of dead human bodies, or sell or provide funeral-related goods and services without the issuance of a funeral service establishment license.

The Board shall promulgate regulations for such registration including proper procedures in the handling of all dead human bodies being transported, the application process for registration, and the establishment of registration fees. These regulations shall not require the use of a casket for transportation. No licensed funeral service establishment shall be required to receive such registration in addition to its funeral service establishment license. However, such establishment shall be subject to the regulations pertaining to transportation and removal services.

Every applicant for registration as a surface transportation and removal service shall include the name of a manager of record on any application for registration and shall notify the Board within 30 days of any change in the manager of record. Such notice shall include the name of the new manager of record of the surface transportation and removal service.

All registrations as a surface transportation and removal service shall be renewed annually and no person or private business shall engage in the business as a surface transportation and removal service without holding a valid registration.

Any surface transportation or removal service that is not registered or persons who knowingly engage in transportation or removal services without registration shall be subject to the disciplinary actions provided in this chapter.

This section shall not be construed to prohibit private individuals from transporting or removing the remains of deceased family members and relatives either by preference or in observation of religious beliefs and customs.

1984, c. 761, § 54-260.74:1; 1986, c. 198; 1988, c. 765; 2006, c. 555; 2015, cc. 110, 534.

§ 54.1-2820. Requirements of preneed funeral contracts.

A. It shall be unlawful for any person residing or doing business within this Commonwealth, to make, either directly or indirectly by any means, a preneed funeral contract unless the contract:
1. Is made on forms prescribed by the Board and is written in clear, understandable language and printed in easy-to-read type, size and style;

2. Identifies the seller, seller's license number and contract buyer and the person for whom the contract is purchased if other than the contract buyer;

3. Contains a complete description of the supplies or services purchased;

4. Clearly discloses whether the price of the supplies and services purchased is guaranteed;

5. States if funds are required to be trusted pursuant to § 54.1-2822, the amount to be trusted, the name of the trustee, the disposition of the interest, the fees, expenses and taxes which may be deducted from the interest and a statement of the buyer's responsibility for taxes owed on the interest;

6. Contains the name, address and telephone number of the Board and lists the Board as the regulatory agency which handles consumer complaints;

7. Provides that any person who makes payment under the contract may terminate the agreement at any time prior to the furnishing of the services or supplies contracted for except as provided pursuant to subsection B; if the purchaser terminates the contract within 30 days of execution, the purchaser shall be refunded all consideration paid or delivered, together with any interest or income accrued thereon; if the purchaser terminates the contract after 30 days, the purchaser shall be refunded any amounts required to be deposited under § 54.1-2822, together with any interest or income accrued thereon;

8. Provides that if the particular supplies and services specified in the contract are unavailable at the time of delivery, the seller shall be required to furnish supplies and services similar in style and at least equal in quality of material and workmanship and the representative of the deceased shall have the right to choose the supplies or services to be substituted;

9. Discloses any penalties or restrictions, including but not limited to geographic restrictions or the inability of the provider to perform, on the delivery of merchandise, services or prearrangement guarantee; and

10. Complies with all disclosure requirements imposed by the Board.
If the contract seller will not be furnishing the supplies and services to the purchaser, the contract seller must attach to the preneed funeral contract a copy of the seller's agreement with the provider.

B. Subject to the requirements of § 54.1-2822, a preneed funeral contract may provide for an irrevocable trust or an amount in an irrevocable trust that is specifically identified as available exclusively for funeral or burial expenses, where:

1. A person irrevocably contracts for funeral goods and services, such person funds the contract by prepaying for the goods and services, and the funeral provider residing or doing business within the Commonwealth subsequently places the funds in a trust; or

2. A person establishes an irrevocable trust naming the funeral provider as the beneficiary; however, such person shall have the right to change the beneficiary to another funeral provider pursuant to § 54.1-2822.

C. If a life insurance or annuity contract is used to fund the preneed funeral contract, the life insurance or annuity contract shall provide either that the face value thereof shall be adjusted annually by a factor equal to the annualized Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor, or a benefit payable at death under such contract that will equal or exceed the sum of all premiums paid for such contract plus interest or dividends, which for the first 15 years shall be compounded annually at a rate of at least five percent. In any event, interest or dividends shall continue to be paid after 15 years. In addition, the following must also be disclosed as prescribed by the Board:

1. The fact that a life insurance policy or annuity contract is involved or being used to fund the preneed contract;

2. The nature of the relationship among the soliciting agent, the provider of the supplies or services, the prearranger and the insurer;

3. The relationship of the life insurance policy or annuity contract to the funding of the preneed contract and the nature and existence of any guarantees relating to the preneed contract; and

4. The impact on the preneed contract of (i) any changes in the life insurance policy or annuity contract including but not limited to changes in the assignment, beneficiary designation or use of the proceeds, (ii) any penalties to be incurred by the policyholder as a result of failure to make premium payments, (iii) any penalties to be incurred or moneys to be received as a result of cancellation or surrender of the life insurance policy or annuity contract, and (iv) all relevant information concerning what occurs and whether any entitlements or obligations arise if there is a difference between the proceeds of the life insurance policy or annuity contract and the amount actually needed to fund the preneed contract.

D. When the consideration consists in whole or in part of any real estate, the contract shall be recorded as an attachment to the deed whereby such real estate is conveyed, and the deed shall be recorded in the clerk's office of the circuit court of the city or county in which the real estate being conveyed is located.

E. If any funeral supplies are sold and delivered prior to the death of the subject for whom they are provided, and the seller or any legal entity in which he or a member of his family has an interest thereafter stores these supplies, the risk of loss or damage shall be upon the seller during such period of storage.

(1989, c. 684; 1991, c. 721; 1992, c. 635; 1998, c. 738; 1999, c. 819; 2003, cc. 663, 673; 2007, c. 621.)

§ 54.1-2821. Exemptions.

This article shall not apply to the preneed sale of cemetery services or supplies regulated under Chapter 23.1 (§ 54.1-2310 et seq.) of this title.

(1989, c. 684.)

§ 54.1-2822. Deposit of money received pursuant to preneed funeral contract.

A. Within 30 days following the receipt of any money paid pursuant to any preneed funeral contract or interest or income accrued thereon, unless such amounts are paid to fund either an annuity or an insurance policy which will be used to purchase the funeral supplies or services contracted for, the person receiving such amounts shall deposit all consideration paid pursuant to the terms of a preneed funeral contract in which the price of the supplies and services is not guaranteed, or ninety percent of all consideration paid pursuant to the terms of a preneed funeral contract in which the price of the supplies and services is guaranteed, in a special account in a bank or savings institution doing business in this Commonwealth.

B. The funds shall be deposited in separate, identifiable trust accounts setting forth the names of the depositor, the trustee for the person who is the subject of the contract, the name of the person who will render the funeral services and the name of the person who is the subject of the contract. The purchaser shall have the right to change the beneficiary and trustee of the trust at any time prior to the furnishing of the services or supplies contracted for under the preneed funeral contract. Trust account records shall be subject to examination by the Board.

C. No funeral director, embalmer, funeral service licensee, owner of a funeral establishment, or any person employed by or having an interest in a funeral establishment shall serve as trustee of a trust account for which any such person, or any funeral establishment owned by or employing such person or in which such person has an interest, has been named the beneficiary or designated the provider of services, unless two or more such persons are named and serve as trustees and are required to act jointly in such fiduciary capacity. Subject to the terms of this subsection, and notwithstanding any other provision of law, the trustee for any such trust account may be an incorporated association that is authorized to sell burial association group life insurance certificates in the Commonwealth, as described in the definition of limited burial insurance authority in § 38.2-1800, whose principal purpose is to assist its members in (i) financial planning for their funerals and burials and (ii) obtaining insurance for the payment, in whole or in part, for funeral, burial, and related expenses.

(1989, c. 684; 1992, c. 337; 2007, c. 621.)

§ 54.1-2822.1. Funeral establishments to maintain preneed records.

Every person selling preneed funeral contracts within this Commonwealth shall keep and maintain such records of preneed transactions, including copies of preneed contracts, as may be prescribed by the Board. All such records shall be maintained on the premises of the funeral establishment providing the preneed services and supplies, except that preneed records of funeral establishments under common ownership, control, or management may be maintained at a single location within this Commonwealth.

(1995, c. 26.)

§ 54.1-2823. Exemption from levy, garnishment and distress.

Any money, personal property or real property paid, delivered or conveyed subject to § 54.1-2822 shall be exempt from levy, garnishment or distress.

(1989, c. 684.)

§ 54.1-2824. Declaration of trust in consideration other than money.

Within thirty days following the receipt of any personal property other than money delivered pursuant to any preneed funeral contract, the person receiving it, if title thereto is transferred, or the person making such delivery, if title thereto is not transferred, shall execute in writing a declaration of trust setting forth all the terms, conditions and considerations upon which the personal property is delivered, which shall be acknowledged in the same manner as the contract and recorded in the clerk's office of the circuit court of the city or county in which the person delivering the personal property resides; provided, that if such terms, conditions and considerations are contained in the preneed funeral contract, the contract shall be recorded.

(1989, c. 684.)

§ 54.1-2825. Person to make arrangements for disposition of remains.

A. Any person may designate in a signed and notarized writing, which has been accepted in writing by the person so designated, an individual who shall make arrangements and be otherwise responsible for his funeral and the disposition of his remains, including cremation, interment, entombment, or memorialization, or some combination thereof, upon his death. Such designee shall have priority over all persons otherwise entitled to make such arrangements, provided that a copy of the signed and notarized writing is provided to the funeral service establishment and to the cemetery, if any, no later than 48 hours after the funeral service establishment has received the remains. Nothing in this section shall preclude any next of kin from paying any costs associated with any funeral or disposition of any remains, provided that such payment is made with the concurrence of any person designated to make arrangements.

B. In cases in which a person has designated in a U.S. Department of Defense Record of Emergency Data (DD Form 93) or any successor form an individual to make arrangements for his funeral and disposition of his remains, and such person dies while serving in any branch of the United States Armed Forces as defined in 10 U.S.C. § 1481, such designee shall be responsible for making such arrangements.

(1989, c. 684; 1998, c. 718; 2010, cc. 324, 380.)

Current FDE Regulations
Chapters 20, 30, 40

Commonwealth of Virginia

REGULATIONS

OF THE

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

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

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

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9960 Mayland Drive, Suite 300
Henrico, VA 23233-1463

(804) 367-4479 (TEL)
(804) 939-5973 (FAX)
email: fanbd@dhp.virginia.gov

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Part I. General Provisions.

18VAC65-20-10. Definitions.

Words and terms used in this chapter shall have the definitions ascribed in §54.1-2800 of the Code of Virginia or in 16 CFR Part 453, Funeral Industry Practices, of the Federal Trade Commission, which is incorporated by reference in this chapter. In addition, the following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Branch" or "chapel" means a funeral service establishment that is affiliated with a licensed main establishment and that conforms with the requirements of §54.1-2811 of the Code of Virginia.

"Courtesy card" means the card issued by the board which grants limited and restricted funeral service privileges in the Commonwealth to out-of-state funeral service licensees, funeral directors, and embalmers.

"Cremation container" means a container in which human remains are transported to the crematory and placed in the retort for cremation.

"Cremation urn" means a wood, metal, stone, plastic, or composition container or a container of other material, which is designed for encasing cremated ashes.

"Cremation vault" or "cremation outer burial container" means any container that is designed for encasement of an inner container or urn containing cremated ashes. Also known as a cremation box.

"FTC" means the Federal Trade Commission.

"Manager of record" means a funeral service licensee or licensed funeral director who is responsible for the direct supervision and management of a funeral service establishment or branch facility.

18VAC65-20-15. Criteria for delegation of informal fact-finding proceedings to an agency subordinate.

A. Decision to delegate.

In accordance with § 54.1-2400 (10) of the Code of Virginia, the board may delegate an informal fact-finding proceeding to an agency subordinate upon determination that probable cause exists that a practitioner may be subject to a disciplinary action.

B. Criteria for delegation. Cases that may not be delegated to an agency subordinate, except with the concurrence of a committee of the board, are those that involve:

1. Intentional or negligent conduct that causes or is likely to cause injury;

2. 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;

3. Impairment with an inability to practice with skill and safety;

4. Inappropriate handling of dead human bodies;

5. Sexual misconduct;

6. Misappropriation of funds;

7. Aiding or abetting unauthorized practice; or

8. Felony conviction by an applicant.

C. Criteria for an agency subordinate.

1. An agency subordinate authorized by the board to conduct an informal fact-finding proceeding may include board members deemed knowledgeable by virtue of their training and experience in administrative proceedings involving the regulation and discipline of health professionals.

2. The executive director shall maintain a list of appropriately qualified persons to whom an informal fact-finding proceeding may be delegated.

3. The board may delegate to the executive director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being heard.

18VAC65-20-20 to 18VAC65-20-40. [Repealed]

18VAC65-20-50. Posting of license.

A. 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.

B. The establishment license shall be posted in a place conspicuous to consumers of funeral services.

18VAC65-20-60. Accuracy of information.

A. All changes in the address of record or the public address, if different from the address of record, or in the name of a licensee or registrant shall be furnished to the board within 30 days after the change occurs.

B. Any change in ownership or manager of record for an establishment or crematory shall be reported to the board within 14 days of the change.

C. A surface transportation and removal service shall notify the board within 30 days of any change in the name of the manager on record with the board.

D. 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 of record on file with the board and shall not relieve the licensee, funeral service intern, establishment, crematory, or firm of obligation to comply.

18VAC65-20-70. Required fees.

A. The following fees shall apply for initial licensure or registration:

1. License to practice funeral service or as a funeral director or an embalmer	$325
2. Funeral service establishment license	$600
3. Surface transportation and removal service registration	$325
4. Courtesy card	$325
5. Crematory	$250
6. Waiver of full-time manager requirement	$150

B. The following fees shall apply for renewal of licensure or registration:

1. License to practice funeral service or as a funeral director or an embalmer	$225
2. Funeral service establishment license	$400
3. Surface transportation and removal service registration	$300
4. Courtesy card	$300
5. Crematory	$200
6. Waiver of full-time manager requirement	$100

C. The following fees shall apply for late renewal of licensure or registration up to one year following expiration:

1. License to practice funeral service or as a funeral director or an embalmer	$75
2. Funeral service establishment license	$135
3. Surface transportation and removal service registration	$100
4. Courtesy card	$100
5. Crematory	$75
6. Waiver of full-time manager requirement	$35

D. The following fees shall apply for reinstatement of licensure or registration:

1. License to practice funeral service or as a funeral director or an embalmer	$400
2. Establishment license	$635
3. Surface transportation and removal service registration	$425
4. Courtesy card	$425
5. Crematory	$275
6. Reinstatement following suspension	$1,000
7. Reinstatement following revocation	$2,000

E. Other fees.

1. Change of manager or establishment name	$100
2. Verification of license or registration to another state	$50
3. Duplicate license, registration, or courtesy card	$25
4. Duplicate wall certificates	$60
5. Change of ownership	$100
6. Nonroutine reinspection (i.e., structural change to preparation room, change of location or ownership)	$400

F. Fees for approval of continuing education providers.

1. Application or renewal for continuing education provider	$400
2. Late renewal of continuing education provider approval	$100
3. Review of additional courses not included on initial or renewal application	$300

G. For each renewal in the two years after January 14, 2015, the following shortfall reduction fee shall be assessed:

1. License to practice funeral service or as a funeral director or an embalmer	$40
2. Funeral service establishment license	$75
3. Surface transportation and removal service registration	$60
4. Courtesy card	$60
5. Crematory	$40
6. Continuing education provider	$75

18VAC65-20-80 to 18VAC65-20-100. [Repealed]

18VAC65-20-110. Additional fee information.

A. There shall be a fee of $35 for returned checks.

B. Fees shall not be refunded once submitted.

C. The fee for the Virginia State Board Examination shall be paid directly to the examination service contracted by the board for its administration.

Part II. Renewals and Reinstatement.

18VAC65-20-120. Expiration dates.

A. A funeral service establishment license, crematory registration, or surface transportation and removal service registration shall expire on March 31 of each calendar year.

B. The funeral service license, funeral director license, or embalmer license shall expire on March 31 of each calendar year.

C. Courtesy cards expire on March 31 of each calendar year.

18VAC65-20-130. Renewal of license; registration.

A. A person, establishment, crematory, courtesy card holder or surface transportation and removal service that desires to renew its license or registration for the next year shall, not later than the expiration date as provided in 18VAC65-20-120, submit the renewal form and applicable fee.

1. In order to renew an active funeral service, director or embalmer license, a licensee shall be required to comply with continuing competency requirements set forth in 18VAC65-20-151.

2. The board shall not renew a license for any licensee who fails to attest to compliance with continuing competency requirements on the renewal form.

B. A person who or entity which desires to renew an expired license for up to one year following expiration shall comply with requirements of subsection A of this section and also submit the applicable fee for late renewal.

C. A person who or entity which fails to renew a license, registration, or courtesy card by the expiration dates prescribed in 18VAC65-20-120 shall be deemed to have an invalid license, registration, or courtesy card and continued practice may subject the licensee to disciplinary action by the board.

18VAC65-20-140. Reinstatement of expired license or registration.

A. The board may consider reinstatement of an expired license or registration that has not been renewed within one year of expiration for up to three years following expiration. An application request for reinstatement shall be submitted to the board and shall include payment of the reinstatement fee prescribed in 18VAC65-20-70.

B. If the Virginia license of a funeral service provider, funeral director and embalmer is lapsed three years or less and the applicant is seeking reinstatement, he shall provide evidence of having completing the number of continuing competency hours required for the period in which the license has been lapsed.

C. When a license is not reinstated within three years of its expiration date, an applicant shall reapply for licensure and pass the state examination.

18VAC65-20-150. [Repealed]

18VAC65-20-151. Continued competency requirements for renewal of an active license.

A. Funeral service licensees, funeral directors or funeral embalmers shall be required to have completed a minimum of five hours per year of continuing education offered by a board-approved sponsor for licensure renewal in courses that emphasize the ethics, standards of practice, preneed contracts and funding, or federal or state laws and regulations governing the profession of funeral service.

1. One hour per year shall cover compliance with laws and regulations governing the profession, and at least one hour per year shall cover preneed funeral arrangements. The one-hour requirement on compliance with laws and regulations may be met once every two years by attendance at a meeting of the board or at a committee of the board or an informal conference or formal hearing.

2. One hour of the five hours required for annual renewal may be satisfied through delivery of professional services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for one hour of providing such volunteer services, as documented by the health department or free clinic. For the purposes of continuing education credit for volunteer service, an approved sponsor shall be a local health department or free clinic.

B. Courses must be directly related to the scope of practice of funeral service. Courses for which the principal purpose is to promote, sell or offer goods, products or services to funeral homes are not acceptable for the purpose of credit toward renewal.

C. The board may grant an extension for good cause of up to one year for the completion of continuing education requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing education requirement.

D. The board may grant an exemption for all or part of the continuing education requirements for one renewal cycle due to circumstances determined by the board to be beyond the control of the licensee.

18VAC65-20-152. Continuing education providers.

A. Unless disqualified by action of the board, courses offered by the following providers are approved for continuing education credit:

1. Local, state or federal government agencies;

2. Regionally accredited colleges and universities; or

3. Board-recognized national, regional, state and local associations or organizations as follows:

a. National Funeral Directors Association and state chapters;

b. National Funeral Directors and Morticians Association and state chapters;

c. Association of Independent Funeral Homes of Virginia;

d. Cremation Association of North America;

e. American Board of Funeral Service Education;

f. International Conference of Funeral Service Examining Boards;

g. Virginia Morticians Association; and

h. Other similar associations or organizations as approved by action of the board.

B. Course providers not listed in subsection A of this section may apply for approval by the board as continuing education providers.

1. To be considered for board approval, a continuing education provider shall submit 60 days prior to offering a continuing education course:

a. Documentation of an instructional plan and course objectives for continuing education courses that meet the criteria set forth in 18VAC65-20-151 B;

b. A syllabus of the course or courses to be offered with the credentials of the course instructors, a description of each session, including number of continuing education hours; and

c. The continuing education provider fee set forth under 18VAC65-20-70.

2. Board approval of continuing education providers under this subsection shall expire on July 1 of each year and may be renewed upon resubmission of documentation on courses and instructors and the provider fee as required by the board.

3. Continued approval of a continuing education provider may be granted without submission of the provider fee if the provider submits a statement that courses and instructors offered for the coming year will not change from the previous year. If there will be additions or alterations to the continuing education offerings of a provider, resubmission of documentation and a provider fee is required.

C. Continuing education providers approved under subsection A or B of this section shall:

1. Maintain and provide to the board upon request documentation of the course titles and objectives and of licensee attendance and completion of courses for a period of two years;

2. Monitor attendance at classroom or similar educational experiences for compliance with law and regulations; and

3. Provide a certificate of completion for licensees who successfully complete a course.

18VAC65-20-153. Documenting compliance with continuing education requirements.

A. All licensees with active status are required to maintain original documentation for a period of two years after renewal.

B. After the end of each renewal period, the board may conduct a random audit of licensees to verify compliance with the requirement for that renewal period.

C. Upon request, a licensee shall provide documentation within 14 days as follows:

1. Official transcripts showing credit hours earned from an accredited institution; or

2. Certificates of completion from approved providers.

D. Compliance with continuing education requirements, including the subject and purpose of the courses as prescribed in 18VAC65-20-151 B, the maintenance of records and the relevance of the courses to the category of licensure is the responsibility of the licensee. The board may request additional information if such compliance is not clear from the transcripts or certificates.

E. Continuing education hours required by disciplinary order shall not be used to satisfy renewal requirements.

18VAC65-20-154. Inactive license.

A. A funeral service licensee, funeral director, or embalmer who holds a current, unrestricted license in Virginia shall, upon a request for inactive status on the renewal application and submission of the required renewal fee of $115, be issued an inactive license. The fee for late renewal up to one year following expiration of an inactive license shall be $40.

1. An inactive licensee shall not be entitled to perform any act requiring a license to practice funeral service in Virginia.

2. The holder of an inactive license shall not be required to meet continuing education requirements, except as may be required for reactivation in subsection B of this section.

B. A funeral service licensee, funeral director or embalmer who holds an inactive license may reactivate his license by:

1. Paying the difference between the renewal fee for an inactive license and that of an active license for the year in which the license is being reactivated; and

2. Providing proof of completion of the number of continuing competency hours required for the period in which the license has been inactive, not to exceed three years.

Part III. Requirements for Licensure.

18VAC65-20-160. [Repealed]

18VAC65-20-170. Requirements for an establishment license.

A. No person shall maintain, manage, or operate a funeral service establishment in the Commonwealth, unless such establishment holds a license issued by the board. The name of the funeral service licensee or licensed funeral director designated by the ownership to be manager of the establishment shall be included on the license.

B. Except as provided in §54.1-2810 of the Code of Virginia, every funeral service establishment and every branch or chapel of such establishment, regardless of how owned, shall have a separate manager of record who has responsibility for the establishment as prescribed in 18VAC65-20-171. The owner of the establishment shall not abridge the authority of the manager of record relating to compliance with the laws governing the practice of funeral services and regulations of the board.

C. At least 30 days prior to opening an establishment, an owner or licensed manager seeking an establishment license shall submit simultaneously a completed application, any additional documentation as may be required by the board to determine eligibility, and the applicable fee. An incomplete package will be returned to the licensee. A license shall not be issued until an inspection of the establishment has been completed and approved.

D. Within 30 days following a change of ownership, the owner or licensed manager request a reinspection of the establishment, submit an application for a new establishment license with documentation that identifies the new owner, and pay the licensure and reinspection fees as required by 18VAC65-20-70. Reinspection of the establishment may occur on a schedule determined by the board, but shall occur no later than one year from the date of the change.

E. The application for licensure of a branch or chapel shall specify the name of the main establishment.

18VAC65-20-171. Responsibilities of the manager of record.

A. Every funeral establishment shall have a manager of record who is employed full time by and in charge of the establishment.

B. The manager shall be fully accountable for the operation of the establishment as it pertains to the laws and regulations governing the practice of funeral services, to include but not be limited to:

1. Maintenance of the facility within standards established in this chapter;

2. Retention of reports and documents as prescribed by the board in 18VAC65-20-700 during the period in which he serves as manager of record; and

3. Reporting to the board of any changes in information as required by 18VAC65-20-60.

18VAC65-20-180 to 18VAC65-20-230. [Repealed]

18VAC65-20-235. Approval of educational programs.

All applicants for funeral service licensure are required to have graduated from a funeral service program offered by a school of mortuary science or funeral service accredited by the American Board of Funeral Service Education, Incorporated.

18VAC65-20-236. Requirements for Students Assisting with Embalming.

In accordance with § 54.1-2805 of the Code of Virginia, a student who is duly enrolled in a mortuary education program in the Commonwealth and who is not registered with the board as a funeral intern may assist in embalming in a funeral service establishment provided the following requirements are met:

1. The funeral establishment holds a current, unrestricted license issued by the board;

2.The funeral establishment and funeral service licensee or embalmer providing student supervision meet the accreditation standards of the American Board of Funeral Service Education and the Commission on Accreditation for off-campus embalming instruction;

3. Students shall receive instruction and shall observe embalming of a dead human body prior to assisting with an embalming in a funeral service establishment and shall assist with embalming in conjunction with an embalming laboratory course;

4. A funeral service licensee or embalmer may supervise up to three students under his immediate supervision, which shall mean the supervisor is physically and continuously present in the preparation room with the students to supervise each task to be performed;

5. A funeral service establishment shall include on the form granting permission to embalm information disclosing that the establishment is a training facility for mortuary education students and that a student may be assisting the licensee with embalming; and

6. The embalming report shall include the names of students assisting with an embalming and shall be signed by the supervisor.

18VAC65-20-240. Requirements for funeral service licensure by examination.

A. Application requirements.

1. Applicants shall submit school transcripts and national examination board scores as part of an application package, including the required fee and any additional documentation as may be required to determine eligibility.

2. An individual applying for the state examination shall submit the application package not less than 30 days prior to an examination date. The board may, for good cause shown by the applicant, waive the time for the filing of any application.

B. National examination requirements. Prior to applying for licensure by examination, every applicant shall pass the National Board Examination of the International Conference of Funeral Service Examining Boards.

C. State examination requirements. All applicants shall pass the Virginia State Board Examination.

18VAC65-20-250 to 18VAC65-20-340. [Repealed]

18VAC65-20-350. Requirements for licensure by reciprocity or endorsement.

A. Licenses for the practice of funeral service or its equivalent issued by other states, territories, or the District of Columbia may be recognized by the board and the holder of such license or licenses may be granted a license to practice funeral service within the Commonwealth. Licenses may be granted to applicants by the board on a case-by-case basis if the applicant holds a valid license for the practice of funeral service or its equivalent in another state, territory, or the District of Columbia and possesses credentials which are substantially similar to or more stringent than required by the Commonwealth for initial licensure at the time the applicant was initially licensed.

B. An applicant for licensure by reciprocity or endorsement shall pass the Virginia State Board Examination.

18VAC65-20-360 to 18VAC65-20-390. [Repealed]

Part IV. Registration.

18VAC65-20-400. Registration of surface transportation and removal services.

All persons applying to own or operate a surface transportation and removal service, according to requirements of §54.1-2819 of the Code of Virginia, shall submit an application package for registration which shall include:

1. A completed and signed application;
2. The fee prescribed in 18VAC65-20-70 A 3; and
3. Additional documentation as may be required by the board to determine eligibility of the applicant, including, but not limited to, evidence of training in compliance with standards of the Occupational Safety and Health Administration (OSHA) for universal precautions and blood-borne pathogens; and
4. The name of the manager for the service.

18VAC65-20-410. [Repealed]

18VAC65-20-420. Misrepresentation.

A person employed or operating a surface transportation and removal service shall not in any manner misrepresent himself to the public as being an official of any local jurisdiction, the Commonwealth, federal, or any other governmental body unless granted such authority. This shall include the name and title of the company or service, uniforms, equipment, vehicles, and any other instruments used or proffered by the services or its agents.

18VAC65-20-430. [Repealed]

18VAC65-20-435. Registration of crematories.

A. At least 30 days prior to opening a crematory, any person intending to own or operate a crematory shall apply for registration with the board by submitting a completed application and fee as prescribed in 18VAC65-20-70. The name of the individual designated by the ownership to be the crematory manager shall be included on the application. The owner of the crematory shall not abridge the authority of the crematory manager relating to compliance with the laws governing the practice of funeral services and regulations of the board.

B. Every crematory, regardless of how owned, shall have a manager who has (i) achieved certification by the Cremation Association of North America (CANA); the International Cemetery, Cremation and Funeral Association (ICCFA); or other certification recognized by the board and (ii) received training in compliance with standards of the Occupational Health and Safety Administration (OSHA) for universal precautions and blood-borne pathogens.

C. The manager shall be fully accountable for the operation of the crematory as it pertains to the laws and regulations governing the practice of funeral services, to include but not be limited to:

1. Maintenance of the facility within standards established in this chapter;

2. Retention of reports and documents as prescribed by the board in 18VAC65-20-436 during the period in which he serves as crematory manager; and

3. Reporting to the board of any changes in information as required by 18VAC65-20-60.

D. All persons who operate the retort in a crematory shall have certification by the Cremation Association of North America (CANA); the International Cemetery, Cremation and Funeral Association (ICCFA); or other certification recognized by the board. Persons receiving training toward certification to operate a retort shall be allowed to work under the supervision of an operator who holds certification for a period not to exceed six months.

E. A crematory providing cremation services directly to the public shall also be licensed as a funeral service establishment or shall be a branch of a licensed establishment.

F. The board may take disciplinary action against a crematory registration for a violation of § 54.1-2818.1 of the Code of Virginia or for the inappropriate handling of dead human bodies or cremains.

18VAC65-20-436. Standards for registered crematories or funeral establishments relating to cremation.

A. Authorization to cremate.

1. A crematory shall require a cremation authorization form executed in person or electronically in a manner that provides a copy of an original signature in accordance with § 54.1-2818.1 of the Code of Virginia.

2. The cremation authorization form shall include an attestation of visual identification of the deceased from a viewing of the remains or a photograph signed by the person making the identification. Visual identification may be made by viewing unique identifiers or markings on the remains. The identification attestation shall either be given on the cremation authorization form or on an identification form attached to the cremation authorization form.

3. In the event visual identification is not feasible, a crematory may use other positive identification of the deceased in consultation with law enforcement, a medical examiner, or medical personnel as a prerequisite for cremation pursuant to § 54.1-2818.1 of the Code of Virginia.

B. Standards for cremation. The following standards shall be required for every crematory:

1. Every crematory shall provide evidence at the time of an inspection of a permit to operate issued by the Department of Environmental Quality (DEQ).

2. A crematory shall not knowingly cremate a body with a pacemaker, defibrillator or other potentially hazardous implant in place.

3. A crematory shall not cremate the human remains of more than one person simultaneously in the same chamber of the retort or cremation unit, unless the crematory has received specific written authorization to do so from the person signing the cremation authorization form.

4. A crematory shall not cremate nonhuman remains in a retort permitted by DEQ for cremation of human remains.

5. Whenever a crematory is unable to cremate the remains within 24 hours upon taking custody thereof, the crematory shall maintain the remains in refrigeration at approximately 40 degrees Fahrenheit or less, unless the remains have been embalmed.

C. Handling of human remains.

1. Human remains shall be transported to a crematory in a cremation container and shall not be removed from the container unless the crematory has been provided with written instructions to the contrary by the person who signed the authorization form. A cremation container shall substantially meet all the following standards:

a. Be composed of readily combustible materials suitable for cremation;

b. Be able to be closed in order to provide complete covering for the human remains;

c. Be resistant to leakage or spillage; and

d. Be rigid enough for handling with ease.

2. No crematory shall require that human remains be placed in a casket before cremation nor shall it require that the cremains be placed in a cremation urn, cremation vault or receptacle designed to permanently encase the cremains after cremation. Cremated remains shall be placed in a plastic bag inside a rigid container provided by the crematory or by the next-of-kin for return to the funeral establishment or to the next-of-kin. If cremated remains are placed in a biodegradable container, a biodegradable bag shall be used. If placed in a container designed for scattering, the cremated remains may be placed directly into the container if the next-of-kin so authorized in writing.

3. The identification of the decedent shall be physically attached to the remains and appropriate identification placed on the exterior of the cremation container. The crematory operator shall verify the identification on the remains with the identification attached to the cremation container and with the identification attached to the cremation authorization. The crematory operator shall also verify the identification of the cremains and place evidence of such verification in the cremation record.

D. Recordkeeping. A crematory shall maintain the records of cremation for a period of three years from the date of the cremation that indicate the name of the decedent, the date and time of the receipt of the body, and the date and time of the cremation and shall include:

1. The cremation authorization form signed by the person authorized by law to dispose of the remains and the form on which the next-of-kin or the person authorized by § 54.1-2818.1 to make the identification has made a visual identification of the deceased or evidence of positive identification, if visual identification is not feasible;

2. The permission form from the medical examiner;

3. The DEQ permit number of the retort used for the cremation and the name of the retort operator; and

4. The form verifying the release of the cremains, including date and time of release, the name of the person and the entity to whom the cremains were released and the name of the decedent.

Part V. Issuance of Courtesy Cards.

18VAC65-20-440. Courtesy cards.

A. An out-of-state person applying for a courtesy card pursuant to §54.1-2801 B of the Code of Virginia shall hold a valid license for funeral service, funeral directing, or embalming in another state, territory, or the District of Columbia.

B. An applicant for a courtesy card shall submit:

1. A completed application and prescribed fee; and

2. Verification of a current funeral service license in good standing from the applicant's licensing authority.

C. The holder of a Virginia courtesy card shall only engage in the practice for which he is currently licensed in another jurisdiction.

18VAC65-20-450 to 18VAC65-20-490. [Repealed]

Part VI. Refusal, Suspension, Revocation, and Disciplinary Action.

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 and storage of dead human bodies, consistent with § 54.1-2811.1 of the Code of Virginia and regulations of the board. 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 funeral service intern or failure to provide reports to the board as required by the Code of Virginia and 18VAC65-40-320.

9. Failure to comply with applicable federal and state laws and regulations, including requirements for continuing education.

Part VII. Standards for Embalming and Refrigeration.

18VAC65-20-510. Embalming report.

A. In accordance with the provisions of subdivision 26 of § 54.1-2806 and subsection B of § 54.1-2811.1 of the Code of Virginia, express permission by a next of kin for embalming means written authorization to embalm as a specific and separate statement on a document or contract provided by the funeral establishment. Express permission may include direct, verbal authorization to embalm, provided it is followed as soon as possible by a written document or statement signed by the next of kin confirming the verbal authorization to embalm and including the time, date, and name of the person who gave verbal authorization.

B. Every funeral establishment shall record and maintain a separate, identifiable report for each embalming procedure conducted, which shall at a minimum include the following information:

1. The name of the deceased and the date of death;

2. The date and location of the embalming;

3. The name and signature of the embalmer and the Virginia license number of the embalmer; and

4. If the embalming was performed by a funeral service intern, the name and signature of the supervisor.

18VAC65-20-520. [Repealed]

18VAC65-20-530. [Repealed]

18VAC65-20-540. Preparation room requirements.

A. Every funeral service establishment at which embalming of dead human bodies is performed shall have at least one room used exclusively for embalming or preparation of the body.

B. The following are required of the preparation room or rooms:

1. The walls shall extend floor to ceiling;

2. The floor and wall surfaces shall be of a material or covered by a material impervious to water; and

3. The material shall extend from wall to wall with all joints tight and sanitary.

C. All functions connected with embalming shall be performed within the preparation room.

18VAC65-20-550 to 18VAC65-20-560. [Repealed]

18VAC65-20-570. Condition of preparation room.

A. The preparation room or rooms shall be kept in a clean and sanitary condition at all times, subject to inspection.

B. Inventories of embalming and preparation materials shall be stored in a container and in a manner that makes them impervious to water and protects them from contamination.

C. Any items or supplies not directly used in an embalming procedure shall not be stored in the preparation room.

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 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, either in the preparation room or outside the door to the preparation room.

18VAC65-20-581. Refrigeration requirements.

A. If a dead human body is to be in the possession of a funeral establishment or crematory for more than 48 hours from the time the funeral establishment or crematory takes physical possession of the body until embalming, cremation, or burial, the body shall be placed and maintained in refrigeration in a mechanical refrigeration unit suitable for storing human remains in accordance with subsection B of § 54.1-2811.1 of the Code of Virginia.

B. The mechanical refrigeration unit may be located in the funeral establishment or crematory, or the funeral establishment or crematory may enter into an agreement or contract with another funeral establishment, crematory, or other licensed entity for refrigeration in a mechanical refrigeration unit.

C. Evidence of compliance with the requirement for refrigeration shall be maintained as a log entry or other documentation indicating times of placement in and removal of a body from refrigeration.

18VAC65-20-590. Disposal of waste materials.

Disposal of all waste materials shall be in conformity with local, state, and federal law and regulations to avoid contagion and the possible spread of disease. Upon inspection, the establishment shall provide evidence of compliance, such as a copy of a contract with a medical waste disposal company.

18VAC65-20-600 to 18VAC65-20-610. [Repealed]

Part VIII. Pricing Standards and Forms.

18VAC65-20-620. [Repealed]

18VAC65-20-630. Disclosures.

Funeral providers shall make all required disclosures and provide accurate information from price lists pursuant to the rules of the Federal Trade Commission. Price lists shall comply with requirements of the FTC and shall contain the information included in:

APPENDIX I - General Price List;

APPENDIX II - Casket Price List, Outer Burial Container Price List; and

APPENDIX III - Itemized Statement of Funeral Goods and Services Selected.

18VAC65-20-640 to 18VAC65-20-690. [Repealed]

18VAC65-20-700. Retention of documents.

A. The following retention schedule shall apply to retention of embalming reports, price lists, and itemized statements:

1. Price lists shall be retained for three years after the date on which they are no longer effective;

2. Itemized statements shall be retained for three years from the date on which the arrangements were made; and

3. Embalming reports shall be retained at the location of the embalming for three years after the date of the embalming.

B. The manager of record shall be responsible for retention and maintenance of all required documents.

C. Documents shall be maintained on the premises of the funeral establishment and made available for inspection.

D. In instances where the funeral establishment is sold, documents shall be transferred to the new owner, unless the existing firm is relocating to a new facility.

Commonwealth of Virginia

REGULATIONS
FOR
PRENEED FUNERAL PLANNING

VIRGINIA BOARD OF
FUNERAL DIRECTORS AND EMBALMERS

Title of Regulations: 18VAC65-30-10 et seq.

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

Revised Date: September 26, 2013

9960 Mayland Drive, Suite 300
Henrico, VA 23233-1463

(804) 367-4479 (TEL)
(804) 939-5973 (FAX)
email: fanbd@dhp.virginia.gov

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Part I. General Provisions.

18VAC65-30-10. Definitions.

In addition to those 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:

"Appointee" means the individual selected by the contract beneficiary to arrange a preneed funeral plan on behalf of the contract beneficiary.

"Capper," "steerer," or "shill" means a person who serves to entice another to purchase a product or to direct the course of action and choice of the buyer in a preneed funeral contract sale.

"Cash advance item" means any item of service or merchandise described to a purchaser as a "cash advance," "accommodation," "cash disbursement," or similar term. A cash advance item is also any item obtained from a third party and paid for by the funeral provider on the behalf of the contract buyer. Cash advance items may include, but are not limited to, cemetery or crematory services, pallbearers, public transportation, clergy honoraria, flowers, musicians or singers, nurses, obituary notices, gratuities, and death certificates.

"Consideration," "contract price," or "funds" means money, property, or any other thing of value provided to be compensation to a contract seller or contract provider for the funeral services and funeral goods to be performed or furnished under a preneed funeral contract. Consideration does not include late payment penalties and payments required to be made to a governmental agency at the time the contract is entered into.

"Contract" means a written, preneed funeral contract, and all documents pertinent to the terms of the contract under which, for consideration paid to a contract seller or a contract provider by or on behalf of a contract buyer prior to the death of the contract beneficiary, a person promises to furnish, make available, or provide funeral services or funeral goods after the death of a contract beneficiary.

"Contract beneficiary" means the individual for whom the funeral services and supplies are being arranged.

"Contract buyer" means the purchaser of the preneed contract.

"Contract provider" means the funeral establishment designated by the contract buyer and contracting with the contract buyer to provide for funeral services and supplies in the preneed funeral contract.

"Contract seller" means the funeral service licensee who makes the preneed arrangements with the contract buyer for the funeral service and who makes the financial arrangements for the service and the goods and supplies to be provided.

"Designee" means the individual designated to make arrangements for burial or final disposition of the remains pursuant to §54.1-2825 of the Code of Virginia.

"Funding source" means the trust agreement, insurance policy, annuity, personal property, or real estate used to fund the preneed plan.

"Funeral supplies and services" means the items of merchandise sold or offered for sale or lease to consumers that will be used in connection with a funeral or an alternative to a funeral or final disposition of human remains including caskets, combination units, and catafalques. Funeral goods does not mean land or interests in land, crypts, lawn crypts, mausoleum crypts, or niches that are sold by a cemetery that complies with Chapter 23.1 (§54.1-2310 et seq.) of Title 54.1 of the Code of Virginia. In addition, "funeral supplies and services" does not mean cemetery burial vaults or other outside containers, markers, monuments, urns, and merchandise items used for the purpose of memorializing a decedent and placed on or in proximity to a place of interment or entombment of a casket, catafalque, or vault or to a place of inurnment that are sold by a cemetery operating in accordance with Chapter 23.1 of Title 54.1 of the Code of Virginia.

"Guaranteed contract price" means (i) the amount paid by the contract buyer on a preneed funeral contract, and income derived from that amount, or (ii) the amount paid by a contract buyer for a life insurance policy or annuity as the funding source and its increasing death benefit. These amounts shall be accepted as payment in full for the preselected funeral goods and services.

"Income" means the amount of gain received in a period of time from investment of consideration paid for a preneed contract.

"Nonguaranteed contract price" means the costs of items on a preneed funeral contract that are not fixed for the specified funeral goods or funeral services selected and nonguaranteed costs may increase from the date of the contract to the death of the contract beneficiary and the family or estate will be responsible for paying at the time of need for the services and supplies that were nonguaranteed. Cash advance items are not guaranteed.

18VAC65-30-20 to 18VAC65-30-30. [Repealed]

Part II. Sale of Preneed Plans.

18VAC65-30-40. [Repealed]

18VAC65-30-50. Solicitation.

A. In accordance with provisions of §54.1-2806 of the Code of Virginia, a licensee shall not initiate any preneed solicitation using in-person communication by the licensee, his agents, assistants, or employees.

B. After a request to discuss preneed planning is initiated by the contract buyer or interested consumer, any contact and in-person communication shall take place only with a funeral service licensee.

Part III. Operational Responsibilities.

18VAC65-30-60. Records; general.

A. A licensee shall keep accurate accounts, books, and records of all transactions required by this chapter.

B. Preneed contracts and reporting documents shall be retained on the premises of the establishment for one year after the death of the contract beneficiary.

C. A funeral home shall keep on file a written verification from the insurance company that the insurance or annuity contract complies with §54.1-2820 C of the Code of Virginia.

D. All preneed records shall be available for inspection by the Department of Health Professions.

18VAC65-30-70. Record reporting.

A. A contract provider shall keep a chronological or an alphabetical listing of all preneed contracts. The listing shall include the following:

1. Name of contract buyer;

2. Name of contract beneficiary;

3. Date of contract;

4. How contract was funded;

5. Whether up to 10% of funds are retained by the contract provider for contracts funded through trust; and

6. Whether funeral goods and supplies are stored for the contract buyer.

B. A contract provider who discontinues its business operations shall notify the board and each existing contract buyer in writing.

Part IV. Contract.

18VAC65-30-80. Content and format.

A. A person residing or doing business within the Commonwealth shall not make, either directly or indirectly by any means, a preneed contract unless the contract buyer has been given in writing all information and disclosures required by law and regulation.

B. In addition to requirements of §54.1-2820 of the Code of Virginia, the contract shall contain the following:

1. The date of the contract;

2. Whether or not the price of the supplies and services purchased is guaranteed;

3. The appointee agreement when applicable; and

4. Signatures of the contract seller and the contract buyer.

C. If an appointee agreement has been signed, it shall be attached to the preneed contract as a valid part of the contract.

Part V. Disclosures.

18VAC65-30-90. Disclosures.

A. At the time of the inquiry, licensees shall furnish to each person inquiring about preneed arrangements a copy of the general price list and preneed disclosure questions and answers.

B. Immediately upon concluding the arrangement conference, licensees shall furnish to each person who makes a preneed arrangement a copy of the preneed contract and funding contract.

C. An itemized statement of funeral goods and services shall be given at the time of need even if the arrangements were made through a preneed contract.

Part VI. Funding.

18VAC65-30-100. Finance charges prohibited.

A licensee shall not charge finance charges on a preneed arrangement.

18VAC65-30-110. Cancellation or transfer of contract.

A. Any person who makes payment under this contract may terminate the agreement at any time prior to the time for which the services or supplies are furnished.

B. If the contract buyer terminates the contract within 30 days of the execution of the contract, the contract buyer shall be refunded all consideration paid or delivered and any interest or income accrued on it.

C. If the contract buyer uses a revocable trust as the funding source and terminates the contract after 30 days of the execution of the contract, the contract buyer shall be refunded:

1. All consideration paid or delivered on nonguaranteed items;

2. At least 90% of all consideration paid for guaranteed items; and

3. All interest or income accrued on it.

D. If the contract buyer uses an irrevocable trust as the funding source, the contract buyer is not able to cancel the trust after 30 days following its execution except in accordance with § 64.2-729 of the Code of Virginia.

E. The contract buyer shall have the right to change the contract provider and the trustee at any time prior to the furnishing of the services or supplies contracted for under the preneed contract.

18VAC65-30-120. Escrow account.

Within five banking days after the day of receipt of any money from the contract buyer and until the time the money is invested in a trust, life insurance, or annuity policy, the contract seller or the contract provider shall deposit the money into an escrow account in a bank or savings institution approved to do business in the Commonwealth.

18VAC65-30-130. Real estate.

When the consideration consists in whole or in part of any real estate, the following shall occur:

1. The preneed contract shall be recorded as an attachment to the deed whereby the real estate is conveyed; and

2. The deed shall be recorded in the clerk's office in the circuit court of the city or county in which the real estate being conveyed is located.

18VAC65-30-140. Personal property.

When the consideration consists in whole or in part of any personal property, the following shall occur:

1. Personal property shall be transferred by:

a. Actual delivery of the personal property; or

b. Transfer of the title to the personal property.

2. Within 30 days of receiving the personal property or the title to the personal property, the licensee or person delivering the property shall:

a. Execute a written declaration of trust setting forth the terms, conditions, and considerations upon which the personal property is delivered; and

b. Record the trust agreement in the clerk's office of the circuit court of the locality in which the person delivering the property is living; or

c. Record the preneed contract in the clerk's office of the circuit court of the locality in which the person delivering the property or trust agreement is living provided that the preneed contract sets forth the terms, conditions, and considerations of the trust.

18VAC65-30-150 to 18VAC65-30-160. [Repealed]

18VAC65-30-170. Trust accounts.

If funds are to be trusted, the trust account is to be established according to provisions of §§54.1-2822 and 54.1-2824 of the Code of Virginia and the following information shall be disclosed in writing to the contract buyer:

1. The amount to be trusted;

2. The name of the trustee;

3. The disposition of the interest;

4. The fees, expenses, and taxes which may be deducted from the interest;

5. Whether up to 10% is retained by the contract provider; and

6. A statement of the contract buyer's responsibility for taxes owed on the interest.

18VAC65-30-180. Life insurance or annuity.

If a life insurance or annuity policy is used to fund the preneed funeral contract, the contract shall be in compliance with provisions of §§ 38.2-3100.3 and 54.1-2820 B of the Code of Virginia and shall contain the following information:

1. Name of the contract provider;

2. Name and funeral license number of contract seller;

3. Place of employment of contract seller;

4. Name of insurance agent and agent's insurance license number;

5. Insurance agent's employer and insurance company represented by insurance agent; and

6. Identification as to whether the insurance agent is a funeral service licensee and, if so, the funeral service license number.

18VAC65-30-190. [Repealed]

Part VII. Supplies and Services.

18VAC65-30-200. Supplies and services.

A. If the contract seller will not be responsible for furnishing the supplies and services to the contract buyer, the contract seller shall attach to the preneed funeral contract a copy of the contract seller's agreement with the contract provider.

B. If any funeral supplies are sold and delivered to the contract provider prior to the death of the contract beneficiary, the risk of loss or damage shall be upon the contract provider during such period of storage.

C. If the particular supplies and services specified in the contract are unavailable at the time of delivery, the contract provider shall be required to furnish supplies and services similar in style and

at least equal in quality of material and workmanship. The representative of the deceased shall have the right to choose the supplies or services to be substituted.

Part VIII. Required Content of Contracts and Disclosures.

18VAC65-30-210. [Repealed]

18VAC65-30-220. Content of preneed contracts.

The following information shall be contained in any contract for preneed funeral planning.

Date: _____

Contract: _____

PRENEED FUNERAL CONTRACT

For: (Name of Recipient of Services)

_____

_____ (Zip)_____

I. SUPPLIES AND SERVICES PURCHASED

If the prices of goods and services are guaranteed, no additional cost will incur for your family or estate even though the actual prices of goods and services may increase between the date of this contract and the time of need. (Please see the disclosure document.)

Charges are only for those items that you selected or that are required. If we are required by law or by a cemetery or crematory to use an item, we will explain the reasons in writing below. If you selected a funeral that may require embalming, such as a funeral with a viewing, you may have to pay for embalming. You do not have to pay for embalming you did not select if you select arrangements such as a direct cremation or immediate burial.

Guaranteed Services Purchased

I. BASIC SERVICES OF FUNERAL DIRECTOR AND STAFF $_____

II. FUNERAL HOME FACILITIES

A. Facilities and Staff for visitation/viewing $_____

B. Facilities and Staff for funeral ceremony $_____

C. Facilities and Staff for memorial service $_____

D. Equipment and Staff for graveside service $_____

(NOTE TO FUNERAL HOME: If you have additional charges such as facilities and staff for home/ church viewing, or a charge for additional staff person or through calculation of manhours, etc., add here as extra items. If you have a charge for equipment for interment, add here.)

III. EMBALMING

A. Normal remains $_____

B. Autopsy remains $_____

IV. OTHER PREPARATION OF THE BODY $_____

(NOTE: List all items that you placed under Other Preparation on your General Price List.)

V. IMMEDIATE BURIAL $_____

VI. DIRECT CREMATION $_____

VII. TRANSFER OF REMAINS TO FUNERAL ESTABLISHMENT $_____

VIII. FORWARDING REMAINS TO ANOTHER FUNERAL HOME $_____

IX. RECEIVING REMAINS FROM ANOTHER FUNERAL HOME $_____

X. AUTOMOTIVE EQUIPMENT

A. Hearse $_____

B. Limousine $_____

(NOTE: List all others that you placed on General Price List.)

XI. FUNERAL MERCHANDISE

A. Casket (*describe)_____ $_____

B. Outer Burial Container(*describe)_____ $_____

C. List any others_____ $_____

Supplies Purchased

Clothing $_____

Temporary marker $_____

Acknowledgment cards $_____

Register/attendance books $_____

Memorial folders $_____

Other $_____

SUBTOTAL COSTS OF (GUARANTEED) SUPPLIES PURCHASED: $_____

XII. PACKAGE PRICES

(NOTE: List all package prices by name.)

SUBTOTAL COSTS OF (GUARANTEED) SUPPLIES PURCHASED: $_____

Nonguaranteed Goods and Services Purchased

The actual prices of goods and services below are NOT GUARANTEED. These items may include, but not be limited to, obituary notices, death certificates, cemetery fees, flowers, sales tax, etc. The prices are estimated and the estimates will be included in the Grand Total Contract Price. The differences between the estimated prices below and the actual cost will be settled with your family or estate at the time of need:

SUBTOTAL ESTIMATED COSTS OF NONGUARANTEED ITEMS: $_____

GRAND TOTAL FOR PRENEED ARRANGEMENTS

1. Total cost of (guaranteed) services purchased $_____

2. Total cost of (guaranteed) supplies purchased $_____

3. Total estimated cost of nonguaranteed items $_____

GRAND TOTAL $_____

The only warranties, express or implied, granted in connection with the goods sold in this preneed funeral contract, are the express written warranties, if any, extended by the manufacturers thereof. No other warranties and no warranties of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE are extended by the (funeral home) _____.

II. GENERAL INFORMATION

In order that the Buyer may understand the relationship of all parties involved in this preneed arrangement and contract, the following is provided:

A. Buyer:

B. Funeral Home Providing Services:

C. Contract seller:

Employed by: (Funeral Home)

Virginia Funeral Director License Number:

Method of Funding

A. Insurance

B. Trust

1. Amount to be trusted:

2. Name of trustee:

3. Disposition of Interest:

4. Fees, expenses, taxes deducted from earned interest:

5. Buyer's responsibility for taxes owned on interest:

The following information will be given if an insurance policy or annuity contract is used to fund this agreement:

A. Buyer:

B. Insurance Company:

C. Insurance Agent:

Employed by: (Insurance Company)

Licensed Funeral Director in Virginia: ___yes ___no

Funeral Director License Number (If Applicable):

Employed by Funeral Home (If Applicable):

D. The life insurance or annuity contract provides either that:

_____ The face value thereof shall be adjusted annually by a factor equal to the Consumer Price Index as published by the Office of Management and Budget of the United States; or

_____ A benefit payable at death under such contract that will be equal or exceed the sum of all premiums paid for such contract plus thereon at the annual rate of at least 5.0%, compounded annually.

III. CONSUMER INFORMATION

The Board of Funeral Directors and Embalmers is authorized by Chapter 28 (§54.1-2800 et seq.) of Title 54.1 of the Code of Virginia to regulate the practice of preneed funeral planning. Consumer complaints should be directed to:

The Board of Funeral Directors and Embalmers

9960 Mayland Drive, Suite 300

Richmond, Virginia 23233

Telephone Number 804-367-4479

Toll Free Number 1-800-533-1560

IV. DISCLOSURES

The disclosure statements will be available for your review. The General Price List shall be furnished to you by the contract seller. These contain information that you must receive by law and/or the authority of the Board of Funeral Directors and Embalmers. You are entitled to receive all information in clear and simple language including the language of the funding agreement for this preneed arrangement.

If any law, cemetery, or crematory requires the purchase of any of those items listed in Part I, the requirements will be explained in writing.

By signing this contract, buyer acknowledges availability of and opportunity to read a copy of all of the required documents.

V. TERMINATION OF CONTRACT

This person who funds this contract through a trust agreement may terminate this preneed contract at any time prior to the furnishing of the services or supplies contracted for:

Within 30 days

If you terminate this preneed contract within 30 days of the date of this contract, you will be refunded all payments of whatever type you have made, plus any interest or income you may have earned.

More than 30 days

If you terminate this preneed contract more than 30 days after the date on this contract, you will be refunded whatever amount was required to be placed in a revocable trust fund, plus any interest or income it has earned.

Any person who funds this contract through a trust fund which is irrevocable or through an insurance/annuity policy or through the transfer of real estate/personal property may not be eligible for a refund.

VI. STATEMENT OF GUARANTEE

By signing this contract, (Funeral Home) _____ agrees to the statement checked below (check one):

_____ Prefinancing guarantees that no additional payment will be required from the family or estate for guaranteed services and supplies provided the Grand Total of these arrangements is paid in full and the interest is allowed to accumulate in your account (see page _____ for Grand Total amount). Payment of the difference will be required for the nonguaranteed estimated items if they increase in price.

_____ The prices for items under supplies and services are not guaranteed.

VII. AGREEMENT

In witness whereof, the Buyer and the Funeral Home have executed this contract, intending its terms to be in accordance with the Code of Virginia and any regulations implementing the Code. By signing this contract you acknowledge that you have been provided access to and the opportunity to read the Disclosure Statements.

_____ _____

(Designee of Funeral Home) (Buyer)

_____ _____

(Funeral Home) (Contract Date)

VIII. PENALTIES OR RESTRICTIONS

The (funeral home) _____, has the following penalties or restrictions on the provisions of this contract.

1. (Insert geographic restrictions);

2. (Insert an explanation of the Funeral Home's inability to perform the request(s) of the Buyer);

3. (Insert a description of any other circumstances which apply);

4. (Insert information that if particular goods and services specified in the contract are unavailable at the time of need):

A. The funeral home shall be required to furnish supplies and services similar in style and at least equal in quality of material and workmanship; and

B. The representative of the deceased shall have the right to choose the supplies or services to be substituted.

Addendum to Preneed Contract

APPOINTEE AGREEMENT

I appoint _____ of (address) _____ to assist with the preneed arrangements in my behalf. The relationship of my appointee to me is _____.

Contract Beneficiary: _____ Date: _____

I accept the request of (contract beneficiary) _____ to assist with his/her preneed arrangements.

Appointee: _____ Date: _____

The foregoing was acknowledged before me this _____ day of _____, 19____

Notary: _____

Date Commission Expires: _____

18VAC65-30-230. Content of disclosure statements.

The following disclosure statements shall be provided as a part of any contract used for preneed funeral planning:

We are required by law and/or the Virginia Board of Funeral Directors and Embalmers to provide access to and the opportunity for you to read the following information to assist you in preplanning. A question and answer format is used for clarity and includes the most commonly asked questions.

PRENEED CONTRACTS

-- Is there more than one type of preneed agreement?

Yes. Guaranteed contracts mean that the costs of certain individual items or the cost of the total package will never be more to your family or estate. Nonguaranteed means just the opposite. (See the section entitled "General Funding Information" for more information on guaranteed and nonguaranteed costs.)

Contracts may be funded by insurance/annuity policies, trusts, or transfer of real estate/personal property.

-- What are my protections?

You should take your completed preneed contract home before you sign it and review it with your family or your legal advisor. You have a right to this review before you sign the contract or pay any money.

You should also read carefully the information in this disclosure statement. If you have any questions, contact the seller for more information or contact your legal advisor.

CANCELLATION

-- Can I cancel my preneed agreement if I change my mind? Will I get my money back?

You may cancel payment for supplies or services within 30 days after signing the agreement. If you funded your preneed arrangement through a trust, the contract seller will refund all the money you have paid plus any interest or income you have earned.

If you funded your preneed arrangement through a revocable trust and you cancel the preneed contract AFTER the 30-day deadline, you will be refunded all of your money on the items that are not guaranteed and 90% of all your money on the items that are guaranteed. You will also receive any interest or income on that amount. A revocable trust is a trust that you can cancel.

There may be a penalty to withdraw money from a revocable trust account which has already been established in your name. If there is, your contract will give you this information. (See the first question under the section entitled "Payment" below.)

If you have funded your preneed arrangement through an irrevocable trust you will not be able to cancel the trust agreement or receive a refund after 30 days following its executive except in accordance with § 64.2-729 of the Code of Virginia.

If you funded your preneed arrangement through an insurance policy/annuity contract which will be used at the time of your death to purchase the supplies and services you have selected, you will need to pay careful attention to the cancellation terms and conditions of the policy. You may not be eligible for a refund.

PAYMENT

-- What happens to my money after the contract is signed?

Your money will be handled in one of several ways. It may be deposited in a separate trust account in your name. The trust account will list a trustee who will be responsible for handling your account. The funeral home you have selected as your beneficiary will also be listed. You have the right to change the funeral home and the trustee of your account prior to receiving the supplies and services under the preneed contract.

Your money may be used to purchase a preneed life insurance policy which may be used to pay for your arrangements upon your death. The proceeds of the policy will be assigned to the funeral home of your choice. You may change the funeral home assignment at any time prior to receiving the supplies and services under the preneed contract.

You may decide to choose a life insurance policy or a trust account that requires regular premium payments and not have to make an up-front, lump sum payment.

-- May I pay for goods and services with real estate or personal property?

Yes. When you pay for these supplies and services in whole or in part with any real estate you may own, the preneed contract that you sign will be attached to the deed on the real estate and the deed will be recorded in the clerk's office of the circuit court in the city or county where the real estate is located.

If you pay for goods and services with personal property other than cash or real estate, the contract seller, will declare in writing that the property will be placed in a trust until the time of your death and will give you written information on all the terms, conditions, and considerations surrounding the trust. The contract seller will confirm in writing that he has received property.

You may decide not to transfer the title of the personal property to the contract seller of your preneed contract. In this situation, you will have to submit information to the contract seller in writing that you are giving him the property without a title, and describe the property and where it will be kept until the time of your death.

In either case, the written statements will be recorded in the clerk's office of the circuit court of the city or county in which you live. The written statement does not have to be a separate document.

GENERAL FUNDING INFORMATION

-- If the prices of the goods and services are affected by inflation between now and my death, will the funding I choose be adjusted accordingly?

There is a possibility that the funding may fail to keep up with inflation. This could mean that the funding you choose could have insufficient value to cover all expenses.

-- What happens if my funding is not enough to cover the full cost of these arrangements?

If the entire funeral or specific items in the agreement are guaranteed by the contract seller, your family or estate will not have to pay any more for those items provided that you have paid the grand total in full and all interest earned is allowed to accumulate in your account. However, if you have not paid the account in full and have not allowed the interest to accumulate in the account and any items increase in price, your family or estate would be responsible for the extra amount if the funds are not sufficient. In some situations where you pay toward your funding with regular premiums rather than in one lump sum, your account may not be enough at the time of your death to cover everything.

-- What happens to the extra money if my funding is more than what is needed to pay for these arrangements?

Sometimes, as explained in the answer above, your funding account may not have had the time to grow sufficiently before your death to cover items which are guaranteed in price to you, yet have increased in price for the funeral home.

After funeral expenses are paid, there may be money left over. Because of the ongoing risk that a funeral home takes in guaranteeing prices for you, the funeral home may not be required to return this excess money.

Some funding agreements and funeral homes, however, require that extra money be returned to the estate or family. Others do not. You should obtain information concerning this in writing before signing the preneed contract.

The answers to the following questions will depend upon the terms and conditions of the individual's funding and preneed agreements.

Please review your preneed contract and/or funding agreement for answers to these questions.

-- What happens to my preneed contract if I change my assignment from one funeral home to another?

(Funeral home shall place answer here)

-- What happens to my preneed contract if I change the beneficiary of my funding or the use of my proceeds from the funding.

If you make such changes, it could void your contract. You should request specific information from the contract seller and the funding arrangement.

-- What will happen to my preneed contract if I fail to make agreed to premium payments to my funding source?

(Funeral home shall place answer here)

-- Do I get any money back if I surrender or cancel my funding arrangements?

(Funeral home shall place answer here)

TRUST ACCOUNT

-- If my money goes into a trust account, what information will I receive about that account?

If you want your money to go into a trust fund, the trust agreement must furnish you with information about the amount to be deposited into the account, the name of the trustee, information about what happens to the interest your trust account will earn, and information about your responsibility to file and pay taxes on that interest.

If there are filing expenses connected with your trust account, you will be notified what the expenses are and whether you or the contract seller is the responsible party for paying those.

-- What happens to the interest earned by the trust?

The interest earned by the trust may be handled in different ways by different trust arrangements. The interest may have to go back into your account if items on your contract are guaranteed. You may be responsible for reporting that interest to the Internal Revenue Service and paying taxes on it. You will be responsible to pay any taxes on the interest earned even if you cancel your trust account.

Some trust accounts cannot be cancelled.

There may be special fees deducted from your interest. However, you may still be responsible for paying taxes on the entire amount of interest earned before the fees were deducted. Please ask your contract seller for a written list of any fees so you will have a clear understanding about them before you sign the contract.

-- If I pay my trust in premium payments, what happens if I die before the grand total of the funeral has been placed in trust?

(Funeral home shall place answer here)

CLAIMS AGAINST THIS CONTRACT

-- Can someone to whom I owe money make a claim against the money, personal property, or real estate that I have used to pay for this contract?

No. This money or property cannot be used to settle a debt, a bankruptcy, or resolve a claim. These funds cannot be garnished.

-- Can the money or property be taxed?

No. Currently, interest earned on the money you deposit in a trust, savings account, or the value of the property you used for payment can be taxed but not the original amount which you invested. Interest earned on annuities is generally deferred until withdrawal.

GENERAL GOODS AND SERVICES

-- If I choose goods and services that might not be available at the time of my death, what is the provider required to do?

The funeral home which you select is required to furnish supplies and services that are similar in style and equal in value and quality if what you choose is no longer made or is not available at the time of your death.

Your representative or next-of-kin will have the right to choose the supplies or services to be substituted. However, if the substitute is more expensive than the item originally selected by you, your designee or next-of-kin would be responsible for paying the difference. Under no circumstances will the funeral establishment be allowed to substitute lesser goods and services than the ones you chose.

If, before your death, the funeral home goes out of business or is otherwise unable to fulfill its obligation to you under the preneed contract, you have the right to use the proceeds at the funeral home of your choice.

If the inability to provide services does not become apparent until the time of your death, the individual that you named as your designee could use the funds for services at another funeral home.

-- May I choose the exact item I want now and have the funeral home store it until my death?

If the funeral home or supplier has a storage policy you may ask for this service. If the funeral home or contract seller agrees to store these items, the risk of loss or damage shall be upon the funeral home during the storage period.

For example, what would happen if you select a casket which is in-stock at the time you make these arrangements and the funeral home or supplier agrees to store it for you in their warehouse and: (i) damage occurs, (ii) the funeral home or supplier goes out of business, (iii) the funeral home or supplier is sold, etc.? You need to be assured in writing of protection in these types of situations.

-- What happens if I choose to have a unique service that is not customary or routine in my community? Must the funeral home comply with my wishes?

The funeral home which you have chosen to conduct your service may be able to only provide certain types of services. They may not be able to fulfill your request. If there is a restriction on what they can provide, you will be notified in writing before you sign the preneed contract.

If the funeral home agrees in writing before you sign the contract to perform such services, the funeral home shall provide you a written, itemized statement of fees which you will be charged.

-- Will the funeral home agree to transport my body to another area for burial?

Again, the funeral home may have restrictions on the distance they are willing to travel to conduct a burial. If restrictions apply, you will be notified in writing.

If the funeral home agrees in writing before you sign the contract to honor your wishes, the funeral home shall provide you a written, itemized statement of any penalties (fees) which you will be charged.

-- I may die and be buried in a city other than one where the funeral home that I select for my goods and services is located. Will the funeral home that I select under this contract deliver my merchandise to the city where I die and am to be buried?

This is entirely up to the funeral home to decide. If the funeral home has restrictions on this, they will notify you in writing. If they agree to ship merchandise to another area for your funeral, you will be notified before signing this contract of the fees involved if they can be determined and guaranteed at this time.

However, the preneed contract arrangements and funding is considered portable. This means that they are available for transfer from one locality to another. It is unusual for actual goods and merchandise to be transferred.

PRICING

-- How will I know that the prices of items which I select are the same for everyone?

The funeral home maintains a general price list and a casket and outer burial container price list. Your contract seller will give this to you before you begin talking about arrangements. After your discussion is finished, you will be given a copy of your preneed contract on which charges will be

listed. Charges will only be made for the items you select. If there are any legal or other requirements that mandate that you must buy any items you did not specifically ask for, the contract seller will explain the reason for the charges to you in writing.

You may ask a funeral home to purchase certain items or make special arrangements for you. If the funeral home charges you for these services, you will receive an explanation in writing. The charges to you for these services may be higher than if you or your family purchased them directly.

At the time of your death, your family or estate will be given an itemized statement which will list all of the specific charges.

-- What is meant by guaranteed and nonguaranteed prices?

Some contract sellers may agree that certain prices are guaranteed. Some may guarantee the price of the total package. Other funeral homes may not guarantee any prices.

Guaranteed prices are those that will not increase for your family or estate at the time of your death. Basically, this means that your funeral arrangement for those items will be covered by and will not exceed your funding and the interest it earns. Nonguaranteed prices are those which might increase or decrease. The nonguaranteed prices may be written in at the time of this contract with you understanding that the price is an estimate only and may increase or decrease. A settlement to that effect may have to be made with your family or representative after your death.

-- Can the contract seller and I negotiate a projected charge for the nonguaranteed items based on the rate of inflation?

It is entirely up to the contract seller to inform you of the funeral home policy in that regard.

CASKETS AND CONTAINERS

-- Do I have to buy a vault or a container to surround the casket in the grave?

In most areas of the country, state and local laws do not require that you buy a container to surround the casket in the grave. However, many cemeteries ask that you have such a container to support the earth above the grave. Either a burial vault or a grave liner will satisfy if such requirements exist.

-- Is a casket required?

A casket is not required for direct cremation. If you want to arrange a direct cremation, you may use an unfinished wood box or an alternative container made of heavy cardboard or composition materials. You may choose a canvas pouch.

-- Do certain cemeteries and crematoriums have special requirements?

Particular cemeteries and crematoriums may have policies requiring that certain goods and services be purchased. If you decide not to purchase goods and services required by a particular cemetery or crematorium, you have the right to select another location that has no such policy.

EMBALMING

-- Is embalming always required?

Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements such as viewing or visitation with an open casket. You do not have to pay for embalming you did not approve if you select arrangements such as a direct cremation or immediate burial. If the funeral home must charge to conduct an embalming, your designee will be notified of the reasons in writing.

ASSISTANCE

-- This is all very confusing to me. May I pick someone close to me to help with all of this? May this person also work with the funeral home to ensure that my wishes as written in the preneed contract are carried out?

You may designate in writing a person of your choice to work with the funeral home and contract seller either before or after your death to ensure that your wishes are fulfilled. You must sign the statement and have it notarized. The person that you designate must agree to this in writing. Under the laws governing preneed contracts, the individual whom you designate has final authority at the time of your death.

-- Where can I complain if I have a problem concerning my preneed contract, the contract seller, or the funeral home?

You may direct your complaints or concerns to:

The Board of Funeral Directors and Embalmers Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233

Telephone Number (804) 367-4479

Toll Free Number 1-800-533-1560

Fax: (804) 939-5973

Commonwealth of Virginia

REGULATIONS

FOR THE

FUNERAL SERVICE INTERNSHIP PROGRAM

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: January 14, 2015

9960 Mayland Drive, Suite 300
Richmond, VA 23233-1463

(804) 367-4479 (TEL)
(804) 939-5973 (FAX)
email: fanbd@dhp.virginia.gov

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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.

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

"Training site" means the licensed funeral establishment, facility, or institution that has agreed to serve as a location for a funeral service internship and has been approved by the board.

18VAC65-40-20 to 18VAC65-40-30. [Repealed]

18VAC65-40-40. Fees.

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

1. Funeral service intern registration	$150
2. Funeral service intern renewal	$125
3. Late fee for renewal up to one year after expiration	$45
4. Duplicate copy of intern registration	$25
5. Returned check	$35
6. Registration of supervisor	$35
7. Change of supervisor	$35
8. Reinstatement fee	$195

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

18VAC65-40-50 to 18VAC65-40-80. [Repealed]

18VAC65-40-90. Renewal of registration.

A. The funeral service intern registration shall expire on 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 an internship period served under an expired registration.

C. The funeral service intern is responsible for notifying the board within 14 days 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. A funeral service intern 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 funeral service intern whose registration has been expired for more than one year shall apply for reinstatement by submission of an application and payment of a reinstatement fee. The board may consider reinstatement of an expired registration for up to three years following expiration.

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 internship begun.

18VAC65-40-120. [Repealed]

Part II. Funeral Service Internship Requirements.

18VAC65-40-130. Funeral service internship.

A. The internship shall consist of at least 3,000 hours of 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 an internship.

B. The funeral service intern 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 an intern's work schedule.

C. A funeral service intern shall receive training in all areas of funeral service.

18VAC65-40-140 to 18VAC65-40-170. [Repealed]

18VAC65-40-180. 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 funeral service intern by submission of an application package, which shall include documentation of the qualifications and signatures of any supervising licensees.

B. Applicants shall submit school transcripts as part of an application package, including the required fee and any additional documentation as may be required to determine eligibility.

18VAC65-40-190 to 18VAC65-40-200. [Repealed]

18VAC65-40-201. Failure to register.

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

18VAC65-40-210. Training sites.

A. Funeral training shall be given at the licensed funeral service establishment or at any branch of such establishment that complies with the provisions of this chapter and is approved by the board as a training site.

B. An individual, firm, or corporation owning or operating any funeral service establishment shall apply to and be approved by the board prior to permitting funeral training to be given or conducted in the establishment.

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

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

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 50 or more funerals and 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 funeral service intern may seek approval for an additional training site.

B. The board may grant approval for a resident trainee to receive all or a portion of the embalming training at a facility of state or federal government or an accredited educational institution.

18VAC65-40-230 to 18VAC65-40-240. [Repealed]

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 two consecutive years in practice and are employed full time in or under contract with the establishment, facility, or institution 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 funeral service intern shall obtain a new supervisor. Credit for training shall resume when a new supervisor is approved by the board and the intern has paid the prescribed fee for the change of supervisor.

18VAC65-40-260 to 18VAC65-40-270. [Repealed]

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 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.

18VAC65-40-290. through 18VAC65-40-310. [Repealed]

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

A. The intern, the supervisor or supervisors, and the establishment shall submit a written report to the board at the end of every 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 intern has actually served in the required capacity during the preceding period; and

2. Be received in the board office no later than 14 days following the end of the completion of 1,000 hours. Late reports may result in additional time being added to the internship.

B. If the internship is terminated or interrupted prior to completion of 1,000 hours or if the intern is changing supervisors or training sites, the intern 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 for the number of hours of training completed.

2. Partial reports shall be received in the board office no later than 14 days after the interruption or termination of the internship or after the change in supervisors or training sites. Credit may be deducted for late reports.

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

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

Part III. Internship: Funeral Supervisors' Responsibilities.

18VAC65-40-340. Supervisors' responsibilities.

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

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

E. The supervisor shall provide the intern 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.

18VAC65-40-350 to 18VAC65-40-630. [Repealed]

Part IV. Refusal, Suspension, Revocation, and Disciplinary Action.

18VAC65-40-640. Disciplinary action.

The board may refuse to issue or renew a license, registration, or approval to any applicant; and may suspend for a stated period of time or indefinitely, or revoke any license, registration, or approval, or reprimand any person, or place his license or registration on probation with such terms and conditions and for such time as it may designate or impose a monetary penalty for failure to comply with the regulations of the Board of Funeral Directors and Embalmers.

Education, Examination, and Experience Requirements

Current Laws and Regulations for Licensure and State Comparisons

Regulations in Funeral Service Licensing, Continuing Education, and Pre-need

June 2019

Regulations in Funeral Service Licensing,
Continuing Education, and Pre-need

The jurisdiction information contained in this publication is compiled through the self-reporting and input of The Conference members. While it is meant to be a convenient reference, we encourage you to refer to each state/commonwealth/or province for the most current information.

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	Licensing Authority		Licensure Categories					
	Funeral Board	Government Office/Department	Funeral Director	Embalmer	Funeral Director/ Embalmer	Crematory Operator	Transporter	Other
Alabama	✓		✓	✓		✓		
Alaska	Division of Corporations, Business, & Professional Licensing		✓	✓				
Alberta	✓		✓	✓	✓			Pre-need Salesperson
Arizona	✓		✓	✓		✓		Pre-need Trust Salesperson
Arkansas	✓		✓	✓	✓	✓	✓	
California	Department of Consumer Affairs, Cemetery & Funeral Bureau		✓	✓				Crematory & Cemetery Mgr., Cemetery Broker, Salesperson, Cremated Remains Disposer, Apprentice Embalmer Certification
Colorado*	Licensing not required. Voluntary certification available through CO FDA							
Connecticut		✓	✓	✓				
Delaware	✓		✓					Resident Intern, limited license for bordering states
Dist. of Columbia	✓		✓		✓		✓	Funeral Director Apprentice
Florida	✓		✓	✓	✓	*Full list: myfloridacfo.com/Division/funeralcemetery/Licensing/default.htm*		
Georgia	✓			✓	✓			
Hawaii	Sanitation Branch - Dept. of Health			✓				
Idaho	✓		✓		✓mortician			Certificate of Authority
Illinois	✓	✓			✓			Funeral Director & Embalmer Intern
Indiana	✓	✓			✓	✓		
Iowa	✓				✓			
Kansas	✓		✓	✓		✓		
Kentucky	✓		✓	✓	✓	✓	✓	
Louisiana	✓		✓		✓	✓		
Maine	Office of Professional & Occupational Regulation				✓		✓	Funeral Attendants
Maryland	✓		✓		✓mortician	✓	✓	Apprentice
Massachusetts	✓	Local Boards of Health			✓			Funeral Assistant
Michigan	Corporations, Securities & Commercial Licensing Bureau							Mortuary Science Licensee
Minnesota	Department of Health				✓			Registered Intern
Mississippi	✓		✓		✓	✓		

	Funeral Board	Government Office/Department	Funeral Director	Embalmer	Funeral Director/ Embalmer	Crematory Operator	Transporter	Other
Missouri	✓	✓	✓	✓				
Montana	✓				✓mortician	✓		Crematory Technician, Mortician intern
Nebraska		✓			✓	✓		Apprentice
Nevada	✓		✓	✓		See NV footnote		Funeral Arranger, Apprentice Embalmer Certificate
New Hampshire	✓			✓	✓			
New Jersey	✓				✓			
New Mexico	✓				✓			Funeral Service Intern, Direct & General Supervision, Direct Disposers
New York	Department of Health/Bureau of Funeral Directing		✓					
North Carolina	✓		✓	✓	✓	✓	✓	
North Dakota	✓				✓	✓		
Nova Scotia	✓		✓	✓	✓			
Ohio	✓		✓	✓		✓		Courtesy Card Permit
Oklahoma	✓		✓	✓	✓			
Ontario *(info from 2017)*	Bereavement Authority of Ontario		✓		✓	✓	✓	Cemetery Operator
Oregon	✓		✓	✓	✓			
Pennsylvania	✓		✓					
Rhode Island *(info from 2017)*		✓			✓			
Saskatchewan	✓		✓	✓		✓ certificate	✓	Salesperson
South Carolina	✓		✓	✓	✓			
South Dakota	✓				✓			Funeral Service Trainee
Tennessee	✓		✓	✓			✓	
Texas	✓		✓	✓	✓			
Utah	Division of Occupational and Professional Licensing				✓			Funeral Service Intern
Vermont *(info from 2017)*	✓		✓	✓				
Virginia	✓				✓			
Washington		Department of Licensing			✓			
West Virginia	✓				✓	✓		Courtesy Card, Apprentices
Wisconsin	✓				✓	✓		Funeral Director Apprentice
Wyoming	✓				✓	✓		

Funeral Director Only License

	Background Check Required	Education Requirements		Exam & Fee Requirements			Apprenticeship/Internship Requirements		License Fee	License Renewal Fee & Frequency			Minimum Age
		ABFSE	Other Educational Requirements	NBE ($570)	SBE	LRR	Served before, during, or after training, in state/province, etc.?	Case Reports		Renewal Fee	Annually	Biennially	
Alabama	State & Federal	✓	Bachelor's Degree in any field	✓	✓ $250	✓ $50	Served during or after training in AL	40	$200	$200		✓	18
Alaska	NO		30 semester hours from accredited college/ university	✓		✓ $60	Served anytime in AK	24	$225	$225		✓	18
Alberta	NO		Graduate from Alberta approved funeral service education program	Province Exam $300			Served during or after training	50	$100	$100	✓		NA
Arizona	State & Federal	✓		✓		✓ $80	Served before training in AZ	25	$85	$85	✓		18
Arkansas	State		High School/GED			✓ $100	Served anytime in AR	50	$40	$30	✓		18
California	State & Federal		Associate's Degree in any field or equivalent			✓ $100	NA		$200	$200	✓		18
Connecticut	State		Associate's Degree in Mortuary Science	✓		✓	Served before training	NA	$210	$235	✓		NA
Delaware	State & Federal	✓		✓		✓ $140	Served after training in DE	25	$173	$173		✓	NA
District of Columbia	NO	✓	Associate's Degree in Mortuary Science	✓	✓ $195	✓ $195	Served after training in DC	25	$65	$130		✓	18
Florida	National	✓	Bachelor's or Associate's Degree in Mortuary Science or other	✓	✓ $250	✓	Served anytime in FL		$374—$562	$380		✓	18
Idaho	NO		60 semester or 90 quarter hours from accredited college plus at least 15 hours from ABFSE program	✓		✓	Served anytime in ID	25	$85	$85	✓		21
Kansas	NO		60 hours of college (20 in areas defined by law)			✓ $200	Served after training	25	$228 Prorated	$228		✓	18
Kentucky	Federal		NA	✓	✓ $75	✓ $75	Served anytime in KY	25	$75	$75	✓		18
Louisiana	NO	✓	Minimum of 30 college freshman semester hours from SACS or equivalent institution		✓ $250		Served anytime in LA	30	$250	$80	✓		18
Maryland	State & Federal		Associate's Degree in Mortuary Science	✓		✓ $265	Served after training in MD	24	$600	$600		✓	18
Mississippi	NO		High School/GED		✓ $250		Served anytime in MS	50	Prorated	$100		✓	18
Missouri	State	✓	High School/GED plus apprenticeship in lieu of formal education or Certificate of Proficiency programs for funeral director	✓	✓ $250	✓ $140	Served during training, proof of 10 funeral services conducted	10	$150	$150		✓	18

	Background Check Required	Education Requirements		Exam & Fee Requirements			Apprenticeship/Internship Requirements		License Fee	License Renewal Fee & Frequency			Minimum Age
		ABFSE	Other Educational Requirements	NBE ($570)	SBE	LRR	Served before, during, or after training, in state/province, etc.?	Case Reports		Renewal Fee	Annually	Biennially	
Nevada	State & Federal		NA	✓	✓ $250	✓ $240	Must have 1 year of active practice as a Funeral Arranger in NV		$375	$200		✓	18
North Carolina	State	✓	Board approved Funeral Director program			✓ $74	Served anytime in NC	25	$150	$75	✓		18
Nova Scotia	Federal		Graduate of Board approved program and/or completion of 12 mth apprenticeship		✓		Served during training in NS	25, 25, 25, 25	$200	$200	✓		19
Ohio	State & Federal		Bachelor's Degree in any field	✓	✓ $250	✓ $140	Served before training in OH	50	$200	$200		✓	18
Oklahoma	No	✓	Associate's Degree	✓		✓ $100	Served anytime in OK	50	$75	$75	✓		21
Ontario *(info from 2017)*	Federal		Diploma from Humber College or College Boreal	Board & LRR Exam $250			Served after training in ON	50	$250	$200	✓		18
Oregon	State		Associate's Degree in any accredited field		✓ $100		Served anytime in OR	25	$160	$160		✓	NA
Pennsylvania	State	✓		✓		✓ $190	Served before graduation	35	$20	$400		✓	21
Saskatchewan	Federal		Graduate from educational institution recognized by Council			✓ $75	Served after training in SK	30	$160	$160	✓		NA
South Carolina	State	✓	Bachelor's Degree or 60 accredited college hours		✓ $250	✓ $140	Served anytime in SC	50	$100	$300		✓	18
Tennessee	No		Completion of funeral service education program of not less than 30 hours accredited by ABFSE		✓ $250	✓ $155	Served anytime in TN	Quarterly reports	$435	$235		✓	18
Texas	State & Federal		Associate's Degree in Applied Science	✓	✓ $250	✓ $89	Served anytime in TX	45	$175	$193		✓	18
Vermont *(info from 2017)*	NA								$70	$300		✓	NA

Embalmer Only License

	Background Check Required	Education Requirements		Exam & Fee Requirements			Apprenticeship/Internship Requirements		License Fee	License Renewal Fee & Frequency			Minimum Age
		ABFSE	Other Educational Requirements	NBE ($570)	SBE	LRR	Served before, during, or after training, in state/province, etc.?	Case Reports		Renewal Fee	Annually	Biennially	
Alabama	State & Federal	✓		✓	✓ $250	✓ $50	Served during or after training in AL	40	$200	$200		✓	18
Alaska	NO		Degree from accredited program of mortuary science	✓		✓ $60	Served in AK	24	$225	$225		✓	18
Alberta	NO		Graduate from Alberta approved program	NA			Served during or after training	25	$100	$100	✓		NA
Arizona	State & Federal	✓		✓		✓ $80	Served before training in AZ	25	$85	$85	✓		18
Arkansas	State	✓		✓		✓ $100	Served anytime in AR —(See AR Footnote 1)	50	$40	$30	✓		18
California	State & Federal	✓	Associate's Degree in Mortuary Science	✓		✓ $150	Served anytime in CA	100	$150	$100	✓		18
Connecticut	NA		Associate's Degree in Mortuary Science	✓		✓	Served before training in CT	50	$210	$115	✓		NA
Florida	National	✓	Bachelor's Degree or Associate's Degree in Mortuary Science	✓		✓	Served anytime in FL	NA	$374-$562	$380		✓	18
Georgia	NA	✓		✓			Served anytime in GA	50	$50	$100		✓	18
Hawaii	NO	✓		✓			Served anytime		$25	$25	✓		18
Kansas	NO	✓	Associate's Degree in Mortuary Science	✓			Served after training	No minimum	$168 prorated	$168		✓	18
Kentucky	Federal		Associate's Degree in Mortuary Science		✓ $75	✓ $75	Served anytime in KY	25	$75	$75	✓		18
Missouri	State	✓		✓		✓ $140	Served after training in MO	25	$150	$150		✓	18
Nevada	State & Federal	✓	60 semester or 90 quarter hours at accredited college or university (non-mort sci curriculum)	✓		✓ $240	Served before training in NV	50	$375	$200		✓	18
New Hampshire	State	✓	30 credits of postsecondary education	✓	✓ $150		Served anytime in NH	50 emb 25 fd	prorated	$110		✓	18
North Carolina	State	✓				✓ $74	Served anytime in NC	25	$150	$75	✓		18
Nova Scotia	Federal		Completion of Board approved program		✓		Served during training in NS	NA	$200	$200	✓		19
Ohio	State & Federal		Bachelor's degree in any field; official mortuary science transcript with at least 12 months instruction	✓	✓ $250	✓ $140	Served before training in OH	25	$200	$200		✓	18
Oklahoma	NO	✓	Associate's Degree	✓		✓ $100	Served anytime in OK	25	$75	$75	✓		21

	Background Check Required	Education Requirements		Exam & Fee Requirements			Apprenticeship/Internship Requirements		License Fee	License Renewal Fee & Frequency			Minimum Age
		ABFSE	Other Educational Requirements	NBE ($570)	SBE	LRR	Served before, during, or after training, in state/province, etc.?	Case Reports		Renewal Fee	Annually	Biennially	
Oregon	State	✓		✓			Served anytime in OR	35	$160	$160		✓	18
Saskatchewan	Federal		Graduate from education institution recognized by Council	Practical embalming exam $75			Served after training in SK	30 (incl. 5 autopsies)	$160	$160	✓		NA
South Carolina	State	✓	Completion of a course in embalming approved by the Board	✓	✓ $250	✓ $140	Served anytime in SC	50	$100	$300		✓	18
Tennessee	No	✓		✓	✓ $250	✓ $155	Served anytime in TN	Quarterly reports	$435	$235		✓	18
Texas	State & Federal	✓	Associate's Degree in Applied Science	✓		✓ $89	Served anytime in TX	45	$175	$193		✓	18
Vermont *(info from 2017)*		No information provided							$70	$300		✓	NA

Funeral Director/Embalmer Combination License

	Background Check Required	Education Requirements		Exam & Fee Requirements			Apprenticeship/Internship Requirements		License Fee	License Renewal Fee & Frequency			Minimum Age
		ABFSE	Other Educational Requirements	NBE ($570)	SBE	LRR	Served before, during, or after training, in state/province, etc.?	Case Reports		Renewal Fee	Annually	Biennially	
Alaska	NO	✓		✓		✓$60	Served after training in AK	24	$225	$225		✓	18
Alberta			Graduate from Alberta approved funeral service program	Province Exam $300			Served during or after training	50 & 25	$175	$175	✓		NA
Arkansas	State	✓		✓		✓ $100	Served anytime in AR —(See AR Footnote 1)	50 & 50	$80	$60	✓		18
D.C.			Associate's Degree in Mortuary Science	✓	✓ $195	✓ $195	Served after training	25 & 25	$65	$130		✓	18
Florida	National	✓	Bachelor's or Associate's Degree	✓		✓	Served in FL	NA	$534—722	$380		✓	18
Georgia		✓		✓		✓ $60	Served anytime	50	$50	$100		✓	18
Idaho *(Mortician)*	NO	✓	60 semester or 90 quarter hours from accred. college in addition to ABFSE program	✓		✓	Served anytime in ID	25	$85	$85	✓		21
Illinois	NO	✓	Bachelor's or Associate's Degree in Arts or Science	✓			Served after training in IL	24 & 24	$100	$100		✓	18
Indiana	NA		30 semester or 45 quarter hours from postsec. institution & 4 quarters from accred. school of mort. sci OR 21 mth program in mort. sci (all programs must be approved by bd.)	✓	✓ $50	✓ $50	Served before training in IN	4	$50	$50		✓	18
Iowa	NA	✓	60 college credit hours that exclude technical Mortuary Science course	✓		✓	Served before training in IA	12 & 12	$120	$120		✓	NA
Kentucky	NA		NA		✓	✓	Served anytime in KY	25, 25, 25	NA				
Louisiana	NO	✓		✓			Served anytime in LA	30	$250	$80	✓		18
Maine	State			✓		✓$140	Served before training	NA	$230	$230	✓		18
Maryland *(Mortician)*	State & Federal		Associate's in Mortuary Science	✓		✓ $265	Served after training in MD	24	$600	$600		✓	18
Massachusetts	State		Associate's Degree in Mortuary Science		✓ $83	✓ $83	Served anytime in MA	NA	$66	$155	✓		18
Minnesota *(Mortician)*	NO		Bachelor's Degree in Science or Arts; or equivalent	✓		✓ $125	Served after training	75	$200	$200	✓		NA
Mississippi	NO	✓		✓			Served anytime in MS	25	prorated	$125		✓	18
Montana *(Mortician)*	NO	✓	Associate's Degree in Funeral Service or Mortuary Science is minimum; Bachelor's Degree in Funeral Service or Mortuary Science	✓			served after training	25	$375	$300	✓		18
Nebraska	State	✓	plus 60 semester hours/college credit in specific areas	✓		✓	Served before or after training in NE	25	$90	$90		✓	19
New Hampshire	State	✓	30 credit hours post-secondary education	✓		✓ $150	Served anytime in NH	50 emb 25 fd	prorated	$300		✓	18

	Background Check Required	Education Requirements		Exam & Fee Requirements			Apprenticeship/Internship Requirements		License Fee	License Renewal Fee & Frequency			Minimum Age
		ABFSE	Other Educational Requirement	NBE ($570)	SBE	LRR	Served before, during, or after training, in state/province, etc.?	Case Reports		Renewal Fee	Annually	Biennially	
New Jersey	NO	✓	At least 60 academic credits	✓		✓ $125	Served anytime in NJ	75, 75, 25	$350	$175—$350		✓	18
New Mexico	NO		Associate's Degree in Mortuary Science	✓		✓ $100	Served before training	50, 50, 50	$200	$150	✓		18
New York *(Funeral Director)*	NO	✓		✓		✓	Served after training in NY	Not specific	$125	$125		✓	NA
North Carolina	State	✓	Associate's Degree in Mortuary Science	✓	✓ $250	✓ $74	Served anytime in NC	25	$150	$75	✓		18
North Dakota	NO	✓	Associate's or Diploma in Mortuary Science plus 60 semester hours of college credit	✓		✓	Served before or during training	25	$100	$100	✓		18
Nova Scotia	Federal	✓	Graduate of Board approved program		✓		Served during training	25, 25, 25, 25	$200	$200	✓		19
Oklahoma	NO	✓	Associate's Degree	✓		✓ $100	Served anytime in OK	25	$75	$75	✓		21
Ontario *(info from 2017)*	Federal		Diploma from Humber College or College Boreal		Board & LRR exam $250		Served after training in ON	50	$250	$200	✓		18
Oregon	State	✓		✓		✓ $100	Served anytime in OR	25 & 35	$320	$320		✓	18
Rhode Island *(info from 2017)*	NA	✓	Associate of Science	✓	✓		Served in RI, reports due quarterly		$30	$30	✓		NA
South Carolina	State	✓		✓	✓ $250	✓ $140	Served anytime in SC	50 each	$150	$320		✓	18
South Dakota	NO	✓	Bachelor's or Associate's Degree in Mortuary Science plus 60 semester hours of approved college credit	✓		✓ $50	Served anytime in SD	25	$125	$125	✓		18
Texas	State & Federal	✓	Associate's Degree in Applied Science	✓		✓ $89	Served anytime in TX	45 & 45	$350	$330		✓	18
Utah	NA		Associate's Degree in Mortuary Science	✓		✓ $72	Served anytime, at least 2,000 hours	50	$160	$88		✓	HS Grad or GED
Virginia	NO	✓		✓		✓ $170	Served anytime	25 & 25	$325	$225	✓		18
Washington	State & Federal		Associate's Degree in Mortuary Science—alternative education requirements accepted	✓		✓ $140	Served anytime in WA	4 quarterly reports	$100	$150	✓		18
West Virginia	NA	✓	Minimum Associate's Degree in undergraduate studies, minimum 1 year mortuary school	✓	✓		Served before training in WV	35	$160	$200		✓	18
Wisconsin	State	✓	See WI Footnote	✓		✓ $75	Served anytime in WI	25, 25, 25	$75	$75		✓	18
Wyoming	NO	✓	Bachelor's or Associate's degree in funeral service practice or mortuary sci & completion of 60 hrs from accredited college or university	✓	✓		Served anytime in WY	NA	$75	$75	✓		18

Requirements for Licensure in Neighboring States

Funeral Director

State	Education	Examination	Experience	Other
North Carolina	Degree in mortuary science; OR Graduate of a Funeral Director Program or the equivalent from a program approved by Board and accredited by ABFSE	NC laws and regs exam; NC Board exam for Arts (SBE); and NC Pathology Exam (Int. Conf. is exam provider)	2,000 hours in 12 to 36 months; 25 activities pertaining to the funeral ceremony & disposition of the body	Establishment under a funeral service licensee or licensed funeral director
Kentucky	High school degree/three years apprenticeship; Associate degree in funeral services from accredited program/one-year apprenticeship; OR 30 credit hours/two years apprenticeship	Written board exam OR International Conference exam	See education Assist in management of 25 funerals; 25 removals 40 hours per week	One member of est. must be a licensed funeral director or embalmer
Maryland	Associate degree in mortuary science or its equivalent from an accredited school; OR Associate of arts degree and a course in mortuary science accredited by ABFSE	Written and practical exam by MD and Int. Conf. exam (SBE) – arts and sciences (practical exam may not include embalming)	1,000 hours 24 funerals including pre-need, at-need, cremation and cemetery transfer with a service	One member of est. must be a licensed funeral director or mortician
Tennessee	High school degree and 30 hours in funeral service study from ABFSE accredited school	State Board exam in Arts and (SBE) Exam on laws and regs	Two years 40 hours per week	Manager must be funeral director
West Virginia **Combined funeral director/embalmer**	Associate degree or equivalent hours and 12-month accredited mortuary school program resulting in diploma or certificate	International Conference exam	One year after mortuary school	Manager must be funeral director
DC **Combined funeral director/embalmer**	High school degree and 12-month accredited mortuary school program resulting in diploma or certificate OR Associate degree in mortuary science	International Conference exam Oral exam Practical demonstration	If graduate of school of mortuary science, two years as apprentice; OR If associate degree in mortuary science, experience in actually performing 25 embalmings and 25 funerals	

Embalmer

State	Education	Examination	Experience	Other
North Carolina	Associate degree in mortuary science or the equivalent from a program approved by the Board and accredited by ABFSE	NC laws and regs exam and Nat'l Board exam for Science OR NC State Board Exam for Science (SBE) (International Conference is exam provider)	2,000 hours in 12 to 36 months, 25 embalmings	
Kentucky	Associate degree in mortuary science funeral services, accredited by ABFSE	Written board exam or International Conference exam	One year of apprenticeship, 25 embalmings; 25 removals 40 hours per week	One member of est. must be a licensed funeral director or embalmer
Maryland mortician No separate embalmer license (combined license)	Associate degree in mortuary science or its equivalent from an accredited school OR Associate of arts degree and a course in mortuary science accredited by ABFSE	Written and practical exam by MD and International Conference National board exam (NBE)	Same as funeral director plus 25 embalmings	One member of est. must be a licensed funeral director or mortician
Tennessee	Associate degree in mortuary science with 60 hours in ABFSE accredited program	State Board exam on Science (SBE) and Exam on laws and regs	One year with mortuary school 40 hours per week	
West Virginia No separate embalmer license	See combined license requirements above			
DC No separate embalmer license	See combined license requirements above			

Excerpts of Laws and Regulations – Education, Examination, and Internship/Apprenticeship (Neighboring States)

North Carolina

§ 90-210.25. Licensing.

(a) Qualifications, Examinations, Resident Traineeship and Licensure. –

(1) To be licensed for the practice of funeral directing under this Article, an applicant for licensure bears the burden of substantiating to the satisfaction of the Board that the applicant:

a. Is at least 18 years of age.

b. Is of good moral character.

c. Possesses a degree in mortuary science or has graduated from a Funeral Director Program, or the equivalent, from a program approved by the Board or accredited by the American Board of Funeral Service Education.

d. Within the last three years, has completed 12 months of resident traineeship as a funeral director, pursuant to the procedures and conditions set out in G.S. 90-210.25(a)(4), either before or after satisfying the educational requirement under sub-subdivision c. of this subdivision.

e. Within the last three years, has obtained passing scores on all of the following examinations:

1. Entry-level examination in funeral directing.

2. Repealed by Session Laws 1997-399, s. 5.

3. Examination of the laws of North Carolina, the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984), pursuant to its most recent version, and rules of the Board and other agencies dealing with the care, transportation and disposition of dead human bodies.

4. Examination of pathology.

f. Has paid all applicable fees.

(2) **To be licensed for the practice of embalming** under this Article, an applicant for licensure bears the burden of substantiating to the satisfaction of the Board that the applicant:

a. Is at least 18 years of age.

b. Is of good moral character.

c. Possesses an associate degree in mortuary science, or the equivalent, from a mortuary science program approved by the Board and accredited by the American Board of Funeral Service Education.

d. Within the last three years, has completed 12 months of resident traineeship as an embalmer pursuant to the procedures and conditions set out in G.S. 90-210.25(a)(4), either before or after satisfying the educational requirement under sub-subdivision c. of this subdivision.

e. Within the past three years, has passed an oral or written embalmer examination on the following subjects:

1. Embalming, restorative arts, chemistry, pathology, microbiology, and anatomy.

2. Repealed by Session Laws 1997-399, s. 6.

3. Examination of the laws of North Carolina, the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984), pursuant to its most recent version, and rules of the Board

and other agencies dealing with the care, transportation and disposition of dead human bodies.

f. Has paid all applicable fees.

(3) **To be licensed for the practice of funeral service** under this Article, an applicant for licensure bears the burden of substantiating to the satisfaction of the Board that the applicant:

a. Is at least 18 years of age.

b. Is of good moral character.

c. Possesses an associate degree in mortuary science, or the equivalent, from a mortuary science program approved by the Board and accredited by the American Board of Funeral Service Education.

d. Within the last three years, has completed 12 months of resident traineeship as a funeral service licensee, pursuant to the procedures and conditions set out in G.S. 90-210.25(a)(4), either before or after satisfying the educational requirement under sub-subdivision c. of this subdivision.

e. Within the last three years, has passed an oral or written funeral service examination on the following subjects:

1. Entry-level examination in funeral directing.

2. Embalming, restorative arts, chemistry, pathology, microbiology, and anatomy.

3. Repealed by Session Laws 1997-399, s. 7.

4. Examination of the laws of North Carolina, the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984), pursuant to its most recent version, and rules of the Board and other agencies dealing with the care, transportation and disposition of dead human bodies.

A funeral service examination taken and passed on or before October 1, 2018, for the purposes of attaining licensure under this section shall be considered valid for a five-year period following the date on which the applicant passed the examination.

f. Has paid all applicable fees.

…

Traineeship:

(a)(4) f. To meet the resident traineeship requirements of G.S. 90-210.25(a)(1), G.S. 90-210.25(a)(2) and G.S. 90-210.25(a)(3) the following must be shown by the affidavit(s) of the licensee(s) under whom the trainee worked:

1. That the **funeral director trainee** has, under the supervision of the licensed individual, registered as the trainee's supervisor, substantially assisted in directing at least 25 funerals during the resident traineeship,

2. That the **embalmer trainee** has, under the supervision of the licensed individual, registered as the trainee's supervisor, substantially assisted in embalming at least 25 bodies during the resident traineeship,

3. That the **funeral service trainee** has, under the supervision of the licensed individual, registered as the trainee's supervisor, substantially assisted in directing at least 25 funerals and, under the supervision of the licensed individual, registered as the trainee's supervisor, substantially assisted in embalming at least 25 bodies during the resident traineeship.

Maryland

§7–303.

(a) (1) The Board shall determine the qualifications necessary for an individual to lawfully engage in the practice of mortuary science or funeral direction and to operate a funeral establishment within this State.

(2) Except as otherwise provided in this subtitle, to qualify for a mortician or funeral director license, an applicant shall be an individual who meets the requirements of this section.

(b) The Board shall examine all applications for licensure for the practice of mortuary science or funeral direction and shall issue **the mortician or funeral director license** to an individual who:

(1) Is judged to be of good moral character;

(2) Has completed not less than 1 year and not more than 2 years of licensed apprenticeship, unless the Board allowed extensions for additional 1–year terms;

(3) Except as otherwise provided in this section, has graduated with an associate of arts degree in mortuary science or its equivalent from a school accredited by the American Board of Funeral Service Education or approved by the Board, or has acquired at least an associate of arts degree and completed a course in mortuary science that is accredited by the American Board of Funeral Service Education or approved by the Board;

(4) For an individual applying for a license to practice as a **mortician**, passed the national board examination administered by the Conference of Funeral Service Examining Boards of the United States;

(5) For an individual applying for a license to practice as a **funeral director**, passed the arts and sciences State board examinations, administered by the Conference of Funeral Service Examining Boards of the United States;

(6) Except as provided in subsection (c) of this section, has passed a written examination on Maryland law and regulations governing the practice of mortuary science and a practical examination demonstrating competency in the preparation of dead human bodies for final disposition and sanitary science; and

(7) Has submitted an application to the Board on the required form and has paid a fee set by the Board.

(c) For an individual applying for a license to practice funeral direction, the practical examination qualification under subsection (b)(6) of this section may not include demonstrating competency in embalming.

(d) The Board shall advise each applicant that a license issued under subsection (b) of this section does not guarantee that the applicant will be allowed to practice in any other state.

§7–306.

(a) An individual shall obtain an apprentice license from the Board before beginning an apprenticeship in this State.

(b) (1) A mortician apprentice shall have an apprentice sponsor who:

(i) Is a licensed mortician whose license is in good standing with the Board; and

(ii) Is employed by the same funeral establishment that employs the apprentice.

(2) A funeral director apprentice shall have an apprentice sponsor who:

(i) Is a licensed mortician or funeral director whose license is in good standing with the Board; and

(ii) Is employed by the same funeral establishment that employs the apprentice.

(3) An apprentice may have more than one apprentice sponsor.

(c) An applicant for an apprentice license shall pay to the Board a fee set by the Board.

(d) (1) Prior to an individual appearing before the Board for approval of an apprentice license, the individual must complete two–thirds of the academic credits for a mortuary science program at a school accredited by the American Board of Funeral Service or approved by the Board, with a 2.0 grade point average or higher that is verified with a certified copy of the college transcript.

(2) The applicant and a licensed mortician or licensed funeral director shall appear before the Board to seek the Board's approval for an apprentice license for the applicant.

(3) On termination of the sponsor–apprentice relationship, both the sponsor and the apprentice shall independently notify the Board in writing of:

(i) The date of termination;

(ii) The name, date of death, date of service, and evidence of the service for each decedent for whom a funeral service was conducted under subsection (e)(1)(i) of this section in which the apprentice participated; and

(iii) The name, date of death, date of the preparation for disposition, and a copy of the decedent's filed death certificate for each decedent for whom the apprentice assisted in accordance with subsection (e)(1)(ii) of this section.

(4) Prior approval must be granted by the Board before a change of sponsorship occurs.

(e) (1) The practical experience of an apprentice shall include:

(i) Participation in **at least 20 funerals**;

(ii) Except as provided in paragraph (2) of this subsection, assistance in the preparation and **embalming of at least 20 dead human bodies** for final disposition; and

(iii) **Completion of 1,000 working hours** in a licensed funeral establishment under the direct supervision of the apprentice sponsor.

(2) For an apprentice funeral director, the practical experience under paragraph (1)(ii) of this subsection may not include embalming.

(3) For purposes of paragraph (1)(iii) of this subsection, direct supervision may include instruction by a licensed mortician or funeral director employed or supervised by the apprentice sponsor that is observed in person by the apprentice sponsor.

(f) While the license is effective, an apprentice license authorizes the licensee to assist a licensed mortician or funeral director in the practice of mortuary science or funeral direction only as part of a training program to become a licensed mortician or funeral director.

Kentucky

316.030 Embalmer's license -- Qualifications -- Funeral director's license --Qualifications -- Restriction on place of practice -- Apprenticeship.

(1) No person shall engage in, or attempt to engage in, embalming or funeral directing in the Commonwealth of Kentucky unless the person is licensed under the provisions of this chapter.

(2) All Kentucky-licensed persons who practice embalming or funeral directing in Kentucky shall practice from a funeral establishment that is licensed to operate under the provisions of this chapter.

(3) One (1) member of every firm, and one (1) officer and one (1) stockholder of every corporation, that engages in embalming and funeral directing in Kentucky, shall be a Kentucky-licensed embalmer and a Kentucky-licensed funeral director.

(4) The board shall issue an **embalmer's license** to an applicant who:

(a) Is at least eighteen (18) years of age;

(b) Is of good moral character;

(c) Possesses a high school diploma or a High School Equivalency Diploma;

(d) Has received an associate degree in funeral services from a college or university accredited by the American Board of Funeral Service Education;

(e) Has served an apprenticeship of one (1) year in a Kentucky funeral establishment under the supervision of a Kentucky-licensed embalmer;

(f) Has taken an active part during the apprenticeship in assisting with the embalming of at least twenty-five (25) dead human bodies under the direct supervision of a Kentucky-licensed embalmer;

(g) Has paid to the board an examination fee of seventy-five dollars ($75); and

(h) Has passed an examination prepared or approved by the board.

(5) The board shall issue a **funeral director's license** to an applicant who:

(a) Is at least eighteen (18) years of age;

(b) Is of good moral character;

(c) Possesses a high school diploma or a High School Equivalency Diploma;

(d) Has served an apprenticeship of three (3) consecutive years in a Kentucky funeral establishment under the supervision of a Kentucky-licensed funeral director. An associate degree in funeral services from a college or university accredited by the American Board of Funeral Service Education shall substitute for two (2) years of the apprenticeship. The completion of thirty (30) semester credit hours or the equivalent from an accredited college or university shall substitute for one (1) year of the apprenticeship. At no time shall more than two (2) years of the apprenticeship be substituted;

(e) Has taken an active part during the apprenticeship in assisting with the management of at least twenty-five (25) funerals under the direct supervision of a Kentucky-licensed funeral director

(f) Has paid to the board an examination fee of seventy-five dollars ($75); and

(g) Has passed an examination prepared or approved by the board.

(6) An applicant may serve embalming and funeral directing apprenticeships concurrently.

(7) At the beginning of an apprenticeship, an applicant for an embalmer's or a funeral director's license shall:

(a) Appear before the board;

(b) Pay to the board a registration fee of thirty dollars ($30); and

(c) File with the board the sworn statement of the supervising

Kentucky-licensed embalmer or the Kentucky-licensed funeral director averring that the applicant will work full-time under supervision in the funeral establishment and will receive a regular salary.

(8) An applicant shall work full-time in the funeral establishment during the apprenticeship and shall receive a regular salary.

(9) An applicant shall file with the board semiannually during the apprenticeship sworn statements by the applicant and the supervising Kentucky-licensed embalmer or Kentucky-licensed funeral director setting out the number of hours worked, the number of embalmings or funerals in which the applicant has assisted, and the salary received.

(10) A Kentucky-licensed embalmer or a Kentucky-licensed funeral director shall not supervise more than five (5) applicants serving apprenticeships at any one (1) time.

Effective: June 29, 2017

Apprenticeship

201 KAR 15:050. Apprenticeship and supervision requirements.

Section 2. Supervisor Responsibilities.
…
(a) The instruction shall include:
1. The laws relating to the profession, including KRS Chapter 316 and 201 KAR Chapter 15; and
2. The theory and application of funeral directing or embalming.

(b) The training and work assignments for **apprentice embalmers** shall cover the following service items:
1. Initial call details;
2. Removals;
3. Embalming;
4. Restorative art treatment;
5. Posing body and features;
6. Bathing and cosmetizing of bodies;
7. Dressing and casketing of bodies;
8. Recordkeeping;
9. Purchasing of necessary supplies;
10. Preparation of autopsied bodies;
11. Care and maintenance of equipment and embalming room; and
12. Professional responsibility.

(c) The training and work assignments for **apprentice funeral directors** shall cover the following service items:
1. Initial call details;
2. Removals;
3. Counseling of families on the types of services and merchandise available;
4. Arrangements of funeral services and merchandise;
5. Preparing death certificates and documents;
6. Preparing applications for certain death benefits, such as Social Security, Veterans Administration, insurance companies, and lodges;
7. Preparing newspaper notices;
8. Conducting visitations or memorial services;
9. Directing funerals and graveside services;
10. Follow-up service to the family after the funeral service has been completed;

11. Recordkeeping;
12. Purchasing of necessary supplies;
13. Caring for equipment and premises; and
14. Professional responsibility.

…

Section 3. Supervision of Apprentices. **(1) Supervision of embalmer apprentices.**

(a) For the first twenty-five (25) cases with which an embalmer apprentice assists and throughout the first six (6) months of training, the supervisor or the supervisor's designee shall be present with the apprentice and provide direct supervision of all of the apprentice's embalming activities.

(b) After the apprentice has completed both twenty-five (25) cases and six (6) months of the apprenticeship, the apprentice may perform embalming services if the supervisor or the supervisor's designee is available for consultation and supervision, in accordance with KRS 316.010(14).

(c) The supervisor shall notify the board in writing on the Level II Apprentice Registration Form that the apprentice has completed the required twenty-five (25) cases before allowing the apprentice to embalm without direct supervision. The embalmer Level II registration fee required by 201 KAR 15:030 shall be submitted with the Level II Apprentice Registration Form. The Level II apprenticeship shall commence upon receipt of a Level II apprentice card issued by the board. The supervisor or the supervisor's designee shall continue to supervise the apprentice, in accordance with KRS 316.010(14) and 316.030(4)(e), for the duration of the apprenticeship.

(d) A Level II apprenticeship may continue for a period of up to three (3) years while the apprentice completes the apprenticeship requirements and takes the licensure examination.

(e) An apprentice should take the first examination for licensure within sixty (60) days of completion of all other apprenticeship requirements.

…

(2) Supervision of funeral director apprentices.

(a) For the first twenty-five (25) cases with which a funeral director apprentice assists and throughout the first six (6) months of training, the supervisor or the supervisor's designee shall provide direct supervision during all of an apprentice's funeral directing activities.

(b) After the apprentice has completed both twenty-five (25) cases and six (6) months of the apprenticeship, the apprentice may perform funeral directing services if the supervisor or the supervisor's designee is available for consultation and supervision, in accordance with KRS 316.010(14).

(c) The supervisor shall notify the board in writing on the Level II Apprentice Registration Form that the apprentice has completed the required twenty-five (25) cases before allowing the apprentice to practice funeral directing without direct supervision. The funeral director Level II registration fee required by 201 KAR 15:030 shall be submitted with the Level II Apprentice Registration Form. The Level II apprenticeship shall commence upon receipt of a Level II apprentice card issued by the board. The supervisor or the supervisor's designee shall continue to supervise the apprentice, in accordance with KRS 316.010(14) and 316.030(4)(f), for the du-ration of the apprenticeship.

(d) A Level II apprenticeship may continue for a period of up to three (3) years while the apprentice completes the apprenticeship requirements and takes the licensure examination.

(e) An apprentice should take the first examination for licensure within sixty (60) days of completion of all other apprenticeship requirements.

…

(3) **Removals.**

(a) The supervisor or the supervisor's designee shall be present and provide direct supervision during the removal of bodies for the first six (6) months of the apprenticeship and the first twenty-five (25) removals assisted in by the apprentice.

(b) After an apprentice has served six (6) months of apprenticeship and assisted with twenty-five (25) removals, an apprentice may make removals without the direct supervision of the supervisor or the supervisor's designee if the supervisor has determined that the apprentice is competent to perform removals without direct supervision.

…

(4) Calendar.

(a) The apprentice shall maintain a calendar at the registered location of the apprenticeship of the apprentice's work schedule documenting the forty (40) regular hours per week that he or she has worked. The calendar shall be reviewed and signed on a daily basis by the supervisor to indicate that the supervisor has reviewed and approved the apprentice's work. The calendar shall be available for inspection by the state inspector during any inspection of the establishment. The calendar shall be maintained by an apprentice until such time as the apprentice passes required examinations and becomes licensed. …

Tennessee

Rule 0660-05-.01 APPLICATION.

(1) Each person desiring to obtain a new or initial funeral director or embalmer license shall submit to the Board a completed application on a form prescribed by the Board and the fee(s) as required by Chapter 0660-03 of these rules along with the following documentation:

…

(c) an official transcript or diploma certified by an educational institution showing the applicant has graduated from a high school or has earned a GED recognized by a state department of education; and

(d) for a **funeral director applicant,** an official transcript showing completion of a study in funeral service education consisting of not less than thirty (30) semester hours, forty-five (45) quarter hours or the equivalent, from a school accredited by the American Board of Funeral Service Education, and, if applicable, official test results of the Arts section of the National Board Examination, or

(e) for an **embalmer applicant**, an official transcript evidencing an associate of arts degree by successful completion of a mortuary science program consisting of not less than sixty (60) semester hours, ninety (90) quarter hours or the equivalent, with a program accredited by the American Board of Funeral Service Education, and official test results of the Science section of the National Board Examination; and

(f) Certification of Completion of Apprenticeship Form attesting that either:

1. the **applicant for a funeral director** license has completed not less than two (2) years of apprenticeship as a bona fide paid employee of an establishment working not less than forty (40) hours per week in the presence of and under the direction and supervision of a licensed funeral director as evidenced by the applicant submitting quarterly reports of apprenticeship training within the allotted time throughout the duration of the apprenticeship, or

2. the **applicant for an embalmer** license has completed not less than one (1) year of apprenticeship as a bona fide paid employee of an establishment working not less than forty (40) hours per week in the presence of and under the direction and supervision of a licensed embalmer as evidenced by the applicant submitting quarterly reports of apprenticeship training within the allotted time throughout the duration of the apprenticeship.

…

Requirements for Licensure in Other States

Funeral Director

State	Education	Examination	Experience	Other
Alabama	Complete a course of instruction in an accredited mortuary or funeral service school or college which has been approved by the board, or has completed a bachelor's degree program from an accredited school	• Examination on Alabama Funeral Service law, rules and regulations; • NBE or SBE	Practical experience as an apprentice for not less than two years within a period of three consecutive years; completed apprenticeship not more than two years prior to taking the examination	
Alaska	Complete coursework at an accredited college or university showing at least 30 semester hours of credit.	NBE or SBE and state law examination	One year of apprenticeship training supervised and includes experience in the following areas: (1) assisting or participating in the preparation of at least 24 funerals, including all necessary documentation required by law; (2) assisting in the arrangement of a selection room, including buying, pricing, and providing a description of each casket. An apprenticeship must consist of training of a minimum of 30 hours per week	
Arizona	High school diploma or its equivalent and graduate from accredited or provisionally accredited school of mortuary science.	Funeral service arts section of the national board examination or the state equivalent examination (SBE); Funeral director state laws and rules examination	Assisted in arranging and directing at least twenty-five funerals	Active license as an intern for at least one year
Arkansas	Graduate from an accredited high school or been issued a certificate of equivalency	Both the written and oral parts of the Arkansas Laws Exam	Two years in an Arkansas licensed establishment under a licensed funeral director, and shall actively assist in the conducting of fifty (50) funerals	

State	Education	Examination	Experience	Other
California	Possess an Associate in Arts or Associate in Science degree, or equivalent	Examination on the following subjects: (a) The signs of death. (b) The manner by which death may be determined. (c) The laws governing the preparation, burial and disposal of human remains, and the shipment of bodies dying from infectious or contagious diseases. (d) Local health and sanitary ordinances and regulations relating to funeral directing and embalming.	NA	
Connecticut	Graduated from a program of education in mortuary science	NBE; Connecticut public health laws and the regulations pertaining to the activities of a funeral director	One year of practical training and experience in full-time employment under the personal supervision of a licensed embalmer or funeral director	
Florida	Associate's Degree, or higher, in Funeral Services. Alternatively, provide an Associate's Degree or Bachelor's Degree in any other subject area, along with a Mortuary Science Course or Funeral Service Arts Course	NBE or SBE in Arts; Examination on the local, state, and federal laws and rules relating to the disposition of dead human bodies	One year Funeral Director Internship at a licensed training agency	Two-hour Communicable Disease Course by an approved provider
Kansas	Two years of general college education with at least 60 semester hours, to include six semester hours in Humanities; six semester hours in Social Science; four semester hours in Natural Science; two semester hours in Business; two semester hours in Fine Arts, and 40 semester hours of the applicant's choice	Written Kansas funeral directors' examination	Apprenticeship for no less than one (1) year under the supervision of a licensed Kansas funeral director working on a full-time basis and interview successfully with the board at the conclusion of the apprenticeship	Has an Assistant Funeral Director license also

State	Education	Examination	Experience	Other
Missouri	High School/GED plus apprenticeship in lieu of formal education or Certificate of Proficiency programs for funeral director	NBE Arts (SBE) **OR** Missouri Funeral Arts Exam; Missouri LRR	At least fifteen (15) hours per week for at least twelve (12) consecutive months under the direct supervision of a Missouri licensed funeral director(s) and must arrange and conduct at least ten (10) funeral services	
Nevada	At least 18 years of age	• Nevada Laws, Rules, Regs (LRR) Exam • Either Nevada State Board Exam (SBE) or National Board Art Section exam (NBE-Art)	One (1) year active practice as funeral arranger in Nevada (or licensure as funeral director in another state for at least one (1) year)	Funeral Arranger also licensed – at least 18 years of age and NVLRR exam
New Hampshire	Must be licensed as an embalmer (see below)	Written examination administered by Board	Licensure as embalmer	One combined license = embalmer
Ohio	Bachelor's degree from college or university	Ohio laws and rules examination SBE	Complete not less than 24 months (and no more than 48 months) of apprenticeship under direction of master funeral director; Assist in at least 50 funerals and complete "Funeral director task list"	Ohio also offers combined Funeral Director/Embalmer license
Oklahoma	• Completion of 60 hours of college from accredited college or university • Graduation from an accredited Mortuary college	• Completion of the Arts portion of the National Board Examination with results from the International Conference (SBE) • Completion of Oklahoma law exam	12 month apprenticeship, assisting with 25 arrangement conferences and 25 separate funeral or memorial services	Completion of a Bachelor's degree in funeral service from an ABFSE accredited program meets all education requirements
Oregon	• At least 18 years old • Associates degree or higher in any field from accredited school or at least four years of previous FSP licensure in any state	Pass Oregon State Funeral Service Practitioner Exam SBE	Minimum of 1,440 hours within 12 month period under direct supervision of licensed FSP; assist with minimum of 25 funerals or dispositions	Also has combined license

State	Education	Examination	Experience	Other
South Carolina	• At least 18 years old • High school education • Minimum of two years of successful attendance at an accredited academic college (completion of 60 semester hours – including minimum of 24 hours in at least 4 of 5 specified areas) or successful completion of a regular course of not less than one year, 12 scholastic months, in an accredited mortuary college	Has passed an examination prescribed by the board (State Board exam (SBE) – Arts)	Minimum of 24 months of full-time service as an apprentice funeral director under the direct supervision of a licensed funeral director	Also has combined license
Texas	• At least 18 years old • High school graduate • Graduate of accredited school or college of mortuary science	Complete National Board Exam – Arts or State Board Exam (SBE) – Arts, and Texas Mortuary Law Exam	Provisional license issued for a period of 12-24 months (based upon school status) Minimum of 45 cases, 10 of which are complete cases	
Vermont	• High school graduate • Graduated of school of funeral service accredited or approved by ABFSE in a course of instruction of not less than two academic years, **or** graduated from a school of funeral service accredited or approved by the ABFSE in a course of instruction of not less than one academic year or its equivalent as determined by the Director, with 30 additional credit hours in subjects approved by the Director and obtained in a college or university approved by the Director	National Board Exam and Vermont LRR Exam	Traineeship of 12 months of full-time employment or its equivalent Assist with 30 funerals under the direct supervision of a licensed funeral director	

State	Education	Examination	Experience	Other
Washington	• At least 18 years old. • Have an Associate of Arts degree in Mortuary Science; OR • Complete a course of instruction of at least 60 semester hours at a regionally-accredited school, college or university or other accredited association approved by the Board, with instruction in specific content areas outlined by the Board	•Washington State Laws, Rules, and Regulations Exam •Funeral Arts Exam (NBE or SBE)	1 year of intern training under the supervision of a WA licensed funeral director. Training must consist of at least 1,800 hours of employment and include assisting in coordinating all aspects of at least 25 funeral arrangements	

Embalmer

State	Education	Examination	Experience	Other
Alabama	Completion of coursework from an embalming school or college which has been approved by the board		Two-year course of apprenticeship under a licensed embalmer engaged in practice in state, and shall have completed the required course of apprenticeship within a period of three consecutive years.	
Alaska	Completion of coursework from an accredited school or college of mortuary science	NBE and state law examination	At least one year of apprenticeship training supervised by a sponsor with experience in the following areas: (1) assisting in the preparation and embalming of at least 24 deceased human bodies, including cosmetic application, dressing, and casket preparation; (2) making removals of human bodies. Minimum of 30 hours/week	

State	Education	Examination	Experience	Other
Arizona	High school diploma or its equivalent and graduate from accredited or provisionally accredited school of mortuary science.	Funeral service science section of the national board examination or the state equivalent examination; Embalmer state laws and rules examination.	Completed an internship program that included assisting in embalming at least twenty-five dead human bodies	Licensed as an intern for at least one year
Arkansas	Graduate of an accredited Mortuary (Embalming) School	Both parts of the National Conference Exam; Arkansas Laws Exam	Apprentice embalmer for not less than twelve (12) months in the State of Arkansas under the direct personal supervision of an Arkansas-licensed embalmer and submit at least fifty (50) case reports	
California	Graduated from an approved mortuary science program	Sciences section of the national examination or its equivalent; An examination, administered by the bureau, on the state's laws and the rules and regulations of the bureau	At least two years of apprenticeship under an embalmer licensed and engaged in practice and while so apprenticed shall have assisted in embalming not fewer than 100 human remains	
Connecticut	Graduated from a program of education in mortuary science	NBE; Examination on the Connecticut public health laws and the regulations pertaining to the activities of an embalmer; Examination in practical embalming that shall include an actual demonstration upon a cadaver.	One year of practical training and experience under the personal supervision and instruction of a licensed embalmer and embalmed fifty human bodies in not more than two years under the supervision of a licensed embalmer	
Florida	One year Mortuary Science Course from an accredited college	NBE in Science; Examination on the local, state, and federal laws and rules relating to the disposition of dead human bodies	One year Embalmer Internship with an approved Training Facility	Two-hour Communicable Disease Course by an approved Provider
Kansas	College/mortuary school with a *minimum* of an Associate in Arts degree in Mortuary Science with at least 30 semester hours in mortuary science	NBE	One year apprenticeship working on a full-time basis under the supervision of a licensed embalmer	

State	Education	Examination	Experience	Other
Missouri	Graduation from mortuary science program	NBE Arts or Missouri Funeral Service Arts and NBE Sciences	At least thirty (30) hours per week for at least twelve (12) consecutive months under the direct supervision of a Missouri licensed embalmer(s) and must embalm at least twenty-five (25) dead human bodies	
Nevada	• At least 18 years of age • High school graduate and completion of two years of academic instruction by taking 60 semester or 90 quarter hours at an accredited college or university (not including credits for embalming college or school of mortuary science) • Completion of 12 full months of instruction in an embalming college or school of mortuary science accredited by ABFSE and approved by Board	• Nevada Laws, Rules, Regs Exam • National Board Science Section exam (NBE-Science); SBE	• Not less than one (1) year practical experience under supervision of licensed embalmer (apprentice embalmer) • Embalmed at least 50 bodies under supervision of licensed embalmer	
New Hampshire	• At least one full course of instruction of at least 12 months in ABFSE accredited institution of mortuary science and earn an associate's degree; • Completion of 30 credit hours of postsecondary education	Practical/oral examination administered by Board member	One (1) year (2,000 hours/50 weeks) as apprentice with documented funeral directing and/or embalming duties; Assist in embalming 25 bodies; Embalm 25 bodies (unassisted); Arrange 25 funerals	
Ohio	• Bachelor's degree from college or university • Completion of at least 12 months of instruction in mortuary science program, in board-approved coursework	• National exam - SBE • Ohio laws and rules exam	Completion of not less than 12 months (and no more than 18 months) of apprenticeship under the direction of an embalmer; Assist in embalming at least 25 bodies under supervision and complete Embalmer "Task List"	Ohio also has combined FD/Embalmer license

State	Education	Examination	Experience	Other
Oklahoma	• Completion of 60 hours of college from accredited college or university • Graduation from an accredited Mortuary college	• Completion of the Sciences portion of the National Board Examination with results from the International Conference (SBE) • Completion of OK law exam	Completion of 12 months of full-time work under supervision as apprentice; assist in embalming at least 25 bodies	Completion of a Bachelor's degree in funeral service from an ABFSE accredited program meets all educ. requirements
Oregon	• At least 18 years of age • Graduation from accredited school of funeral service education	Pass the NBE administered by the International Conference (SBE)	Minimum of 1,440 hours within 12 month period under direct supervision of licensed embalmer; assist with minimum of 35 embalmings	Also has combined license
South Carolina	• At least 18 years old • High school graduate • Complete course in embalming college accredited by the National Conference of State Examining Boards and approved by Board	Has passed an examination prescribed by the board. State Board Examination (SBE) - Sciences	Minimum of 24 months of full-time service as an apprentice under direct supervision of a licensed embalmer	Also has combined license
Texas	• At least 18 years old • High school graduate • Graduate of accredited school or college of mortuary science	Complete National Board Exam – Sciences (SBE) and Texas Mortuary Law Exam	Provisional license issued for a period of 12-24 months (based upon school status); Minimum of 45 cases, 10 of which are complete cases	
Vermont	Graduate of two year school of funeral service **or** complete one academic year or its equivalent as determined by the Board from an accredited school of funeral service and 30 credits of instruction from an accredited college or university	State Board Practical Examination, National Board Exam, and Vermont LRR Exam	Traineeship of 12 months of full-time employment or its equivalent	
Washington	• At least 18 years old • Associate of Arts degree in Mortuary Science; OR • Complete course at an accredited mortuary science college program. Course must consist of at least 60 semester or 90 quarter hours.	•Washington State Laws, Rules, and Regulations Exam •Embalmer Sciences Exam (NBE or SBE)	Complete 2 years of intern training under the supervision of an embalmer licensed in WA State. Training must consist of at least 3,600 hours of employment and include the embalming of at least 25 human remains.	

Excerpts of Laws and Regulations – Education, Examination, and Internship/Apprenticeship (Other States)

Alabama

Alabama Funeral Services Statutes and Regulations Code of Alabama 1975, Title 34 Chapter 13 & Administrative Code 395

Section 34-13-72

Qualifications of [funeral director] applicants; examination requirements; fee.

(a) An applicant for a funeral director's license is entitled to an examination if he or she satisfies all of the following:

(1) Is a citizen of the United States or legally present in this state.

(2) Is at least 18 years of age.

(3) Has had practical experience as an apprentice for not less than two years within a period of three consecutive years, excluding time lost by interruptions caused by the active duty of the applicant in the military service of the United States or its allies during war or national emergency, and excluding time lost by interruptions which the board deems excusable as caused by circumstances beyond the control of the applicant.

(4) Has completed apprenticeship not more than two years prior to taking the examination, excluding time lost under the circumstances mentioned in subdivision (3).

(5) Has completed a course of instruction in an accredited mortuary or funeral service school or college which has been approved by the board pursuant to Section 34-13-50, or has completed a bachelor's degree program from an accredited school.

(b) The board may certify an applicant to take an examination for a funeral director's license after verifying that the applicant has completed a course of instruction in funeral arts at an accredited mortuary or funeral service school or college meeting the criteria or standards defined in this chapter. The board may not issue a funeral director's license to any applicant who has not completed a two-year apprenticeship.

(c) An applicant has two years from the expiration date of his or her last active apprentice certification to successfully complete the examination for a funeral director's license pursuant to this chapter. Any applicant who fails to successfully pass the examination is required to serve a new apprenticeship in accordance with this chapter.

(d) The board shall establish and charge a reasonable examination fee, based on actual costs, for each applicant who sits for an examination. In no event shall the fee exceed fifty dollars ($50) above the actual cost of preparing and administering the examination.

Section 34-13-73

Scope of examination.

(a) The applicant for a funeral director's license, before the application is granted, shall successfully pass an examination upon, but not limited to, the following subjects: Funeral directing, the manners in which death may be determined, the laws governing the preparation and disposal of human dead bodies and the shipment of bodies dying from infectious or contagious diseases, and local health and sanitary ordinances in relation to funeral directing. The examination shall be prepared and graded as prescribed by rule of the board. The board may review and adopt, in whole or in part, examination questions, forms, examinations, and passing criteria proposed by the American Board of Funeral Service

Education, or a successor organization, and may use the uniform nationwide conditions of the International Conference of Funeral Service Examining Boards, or other organization approved by the board.

(b) The board shall examine applicants for a funeral director's license in all of the following subjects:

(1) Mortuary management and administration.

(2) Mortuary law.

(3) Basic accounting principles.

(4) Funeral directing.

(5) Other courses of instruction in fundamental subjects as may be prescribed by the board.

…

Section 34-13-92

Qualifications of [embalmer] applicants; examination requirements; fee.

(a) In order to qualify for a license as an embalmer, the applicant shall satisfy all of the following:

(1) Be a citizen of the United States or legally present in this state.

(2) Be over 18 years of age.

(3) Be of good character.

(4) Have completed a two-year course of apprenticeship under an embalmer or embalmers licensed and engaged in practice as an embalmer in this state, and shall have completed the required course of apprenticeship within a period of three consecutive years, excluding time lost by interruption caused by the active duty of the applicant in the military service of the United States or its allies during war or national emergency, and excluding time lost by interruptions which the board deems excusable as caused by circumstances beyond the control of the applicant.

(5) Have completed a course of instruction in an embalming school or college which has been approved by the board as defined in Section 34-13-50.

(6) Have completed the course of apprenticeship not more than two years before the date of examination, excluding time lost under the circumstances mentioned in subdivision (4).

(b) The board may certify an applicant to take an examination for an embalmer's license after verifying that the applicant has graduated from an accredited mortuary or funeral service school or college meeting the criteria or standards defined in this chapter. The board may not issue an embalmer's license to any applicant who has not completed a two-year apprenticeship.

(c) The board shall establish and charge a reasonable examination fee, based on actual costs, for each applicant who sits for an examination. In no event shall the fee exceed fifty dollars ($50) above the actual cost of preparing and administering the examination.

Section 34-13-93

Examination of applicant for license.

The board may hold a public examination at least once each quarter for the purpose of examining applicants for an embalmer's license, at such time and place as the board may determine. Notice of the time and place of the meeting shall be provided electronically to the various applicants and shall be available on the website of the board at least 15 days before the meeting or examination.

Section 34-13-94

Scope and conduct of examination.

(a) The board shall examine applicants for an embalmer's license in all of the following subjects:

(1) Mortuary management and administration.

(2) Legal medicine and toxicology.

(3) Public health, hygiene, and sanitary science.

(4) Mortuary science, to include embalming technique, in all aspects; chemistry of embalming, color harmony; discoloration, its causes, effect, and treatment; treatment of special cases; restorative art; funeral management; and professional ethics.

(5) Anatomy and physiology.

(6) Chemistry, organic and inorganic.

(7) Pathology.

(8) Bacteriology.

(9) Sanitation and hygiene.

(10) Public health regulations.

(11) Other courses of instruction in fundamental subjects as may be prescribed by the board.

…

(d) The board may issue an embalmer's license to an applicant who receives a passing grade on a recognized national embalmer's examination approved by the board.

…

Alaska

Sec. 08.42.050. **Qualifications for license to practice mortuary science.** (a) In order to qualify for a license to practice **embalming**, the applicant shall

(1) be at least 18 years of age;

(2) have graduated from an accredited school or college of mortuary science;

(3) have taken and passed the examination for a license to practice embalming conducted by the department;

(4) have completed at least one year of apprenticeship as a trainee under a licensed embalmer.

(b) In order to qualify for a license to practice **funeral directing** the applicant shall

(1) be at least 18 years of age;

(2) have satisfactorily completed at least one year (30 semester credit hours) at an accredited college or university;

(3) have taken and passed the examination for a license to practice funeral directing conducted by the department;

(4) have completed at least one year of apprenticeship as a trainee under a person licensed to practice funeral directing in this state.

Sec. 08.42.060. Scope and conduct of examination for a license to practice mortuary science. (a) The department shall examine applicants for an embalmer's license; the examination may include any or all of the following subjects: (1) theory and practice of embalming, (2) anatomy, (3) pathology, (4) bacteriology, (5) hygiene, including sanitation and

public health, (6) chemistry, including toxicology, (7) restorative arts, including plastic surgery and demi-surgery, (8) funeral service arts and sciences, and funeral service administration, including accounting, funeral law, psychology, funeral principles, directing and management, (9) Alaska vital statistics law, and (10) the provisions of this chapter and the regulations adopted by the department under this chapter. The department shall examine applicants for a funeral director's license; the examination may include any or all of the subjects included in (8), (9) and (10) of this subsection. The department may use the examination provided by the Conference of Funeral Service Examining Boards of the United States, Inc. where it is applicable to the subjects in this section.

(b) A passing grade in the examination is an average grade of at least 75 percent with no individual subject grade of less than 70 percent.

(c) If an applicant receives an average grade of at least 75 percent, but receives a grade of less than 70 percent in three or fewer individual subjects, the applicant may be reexamined only in those subjects. The applicant is entitled to reexamination on individual subjects only once. A grade of at least 70 percent in each of the subjects in which the applicant is reexamined is sufficient to constitute a passing grade.

(d) Except as provided in (c) of this section, an applicant shall be reexamined in all subjects if the applicant reapplies for examination.

12 AAC 50.200. APPRENTICESHIP TRAINING. (a) Apprenticeship training must be provided by a sponsor approved under 12 AAC 50.100.

(b) A **funeral director trainee** shall document at least one year of apprenticeship training that was supervised by a sponsor that meets the requirements of 12 AAC 50.100 and includes experience in the following areas:

(1) assisting or participating in the preparation of at least 24 funerals, including all necessary documentation required by law;

(2) assisting in the arrangement of a selection room, including buying, pricing, and providing a description of each casket.

(c) **An embalmer trainee** shall document at least one year of apprenticeship training that was supervised by a sponsor that meets the requirements of 12 AAC 50.100 and includes experience in the following areas:

(1) assisting in the preparation and embalming of at least 24 deceased human bodies, including cosmetic application, dressing, and casket preparation;

(2) making removals of human bodies.

(d) Each embalmer and funeral director trainee shall submit case reports on forms provided by the department, for each of the 24 funerals or embalming required in (b) or (c) of this section. Unless the department finds good cause to grant an extension under this subsection, six case reports shall be submitted every three months and shall be signed by the trainee and the sponsor. If a trainee is unable to complete six case reports in a three month period, the trainee shall submit the case reports that were completed and a written request for an extension explaining why the trainee was unable to complete all six cases within the time period specified under this section. The department will grant the request for an extension if it finds good cause outside of the control of the trainee.

(e) An apprenticeship must consist of training of a minimum of 30 hours per week, excluding up to 30 days of leave time per year for the trainee.

(f) Apprenticeship training as a funeral director or embalmer may be earned concurrently. If the training is not completed within one year, the trainee may apply for renewal of the permit for one year under AS 08.42.085(c).

(g) Upon completion of the apprenticeship training, the sponsor shall complete an affidavit on a form provided by the department, stating that the trainee has satisfactorily completed the apprenticeship requirements of AS 08.42 and this chapter under the sponsor's direct supervision. If the apprenticeship training is terminated before completion of the apprenticeship, the sponsor shall complete an affidavit on a form provided by the department, stating what requirements of AS 08.42 and this chapter that the trainee completed under the sponsor's direct supervision.

Kansas

Kansas State Board of Mortuary Arts Rule Book

65-1714. Funeral director's license; application; qualifications; examination; display of license; special permits. (a) It shall be unlawful for any person to engage in, or attempt to engage in, the business of a funeral director, conduct a funeral, or make an interment in this state, except as provided in K.S.A. 65-1713b, and amendments thereto, without a funeral director's license issued by the state board of mortuary arts.
(b) Every person desiring to enter the practice of funeral directing shall make written application therefor to the board on such forms and in such manner as shall be prescribed by the board. The application shall show that the applicant is of legal age, has successfully completed courses in an accredited academic community college or accredited academic college or university accumulating at least 60 semester hours with 20 semester hours earned in subjects designated by the state board of mortuary arts and has had practical experience in funeral directing working full-time for at least one year prior to the date of the application as a licensed Kansas assistant funeral director under a Kansas licensed funeral director. The application shall also show that the applicant has assisted in conducting at least 25 funeral services before applying for a funeral director's license, which showing shall be supported by a verified written statement giving the list of the cases with which the applicant assisted, the dates thereof and the places where the services were conducted. Funeral directors' licenses shall be issued to individuals only, and not to organizations, institutions, corporations or establishments.
(c) The applicant shall be present before the board for examination at a time and place fixed by the board. The manner and form of the examination shall be determined by the board. It shall not be necessary for the applicant to be a licensed embalmer in order to obtain a funeral director's license under this act.
(d) All licenses shall be signed by the president and secretary of the board and attested by its seal. Every funeral director shall at all times prominently display the funeral director's license in the funeral director's place of employment. In the event of the death of the holder of a funeral director's license, or in other special cases, the board, in its discretion and for good cause shown, may issue special permits to persons otherwise qualified, except for examination, authorizing the temporary practice of funeral directing until the next examination by the board.
(e) Any person, who has lawfully engaged in the business of providing cremation services in Kansas for five consecutive years prior to the effective date of this act, shall be exempt from the apprenticeship requirements which are a prerequisite for licensure as a funeral director under K.S.A. 65-1701a, and amendments thereto, provided that such person shall apply for licensure within six months of the effective date of this act. Any person who is exempt from the apprenticeship requirements under this subsection shall have a grace period of 120 days following the effective date of the act to comply with the requirements for licensure as a funeral director.
History: L. 1935, ch. 234, § 2; L. 1941, ch. 297, § 17; L. 1979, ch. 188, § 6; L. 1982, ch. 264, § 2; L. 1985, ch. 215, § 8; L. 1988, ch. 247, § 3; L. 1991, ch. 190, § 4; L. 2010, ch. 68, § 2; July 1.

63-1-3. Registration and apprenticeship. (a) In order to be granted an embalmer license, the following educational requirements shall be met: Each applicant shall enroll in an approved school of mortuary science offering at least an AA degree in mortuary science, while accumulating during this training at least 30 semester hours in mortuary science.
(b) Each person desiring to enter the practice of embalming dead human bodies within the state of Kansas shall apply to the board for a "certificate of registration" in order to take the embalmer's examination. Application forms provided by the board shall be

used. Each application form shall be accompanied by the following:
(1) Official transcripts from approved institutions of higher learning showing that the applicant has met the educational requirements of K.S.A. 65-1701a, and amendments thereto, or their equivalent;
(2) verification that the applicant completed a mortuary science program that results in at least an AA degree in mortuary science and is accredited by the American board of funeral service education; and
(3) the fee as prescribed in K.A.R. 63-4-1.
(c) The applicant may file a "certificate of completion" in lieu of a transcript if a transcript is unavailable at the time of application. A transcript shall be filed with the board before beginning the apprenticeship.
(d) Upon passing the examination, each applicant shall be registered under a licensed Kansas embalmer or embalmers or an embalmer who is approved by the board for an embalmer apprenticeship. Each licensee under whom an apprentice is registered shall file quarterly reports of progress with the board. Upon successful completion of the apprenticeship and payment of the prorated biennial fee, an embalmer's license shall be issued by the board. An apprentice embalmer shall successfully complete one year of apprenticeship in the practice of embalming dead human bodies in order to be qualified for an embalmer license. In order for an embalmer apprenticeship to be successfully completed, all of the following requirements shall be met:
(1) The apprentice shall file quarterly progress reports with the board on forms approved by the board concerning the apprentice's progress in the practice of embalming.
(2) The supervising embalmer shall file quarterly progress reports with the board on forms approved by the board concerning the apprentice's progress in the practice of embalming.
(3) The progress reports of the apprentice and supervising embalmer shall be reviewed by the board to assist in determining if the apprentice's progress in the practice of embalming is acceptable or unacceptable.
(e) If either the apprentice or the supervising embalmer fails to timely submit a quarterly report to the board, that quarter shall not be counted toward successful completion of the apprenticeship. Timely submission of a quarterly report shall be within 10 days following the conclusion of the quarter.
(f) At the conclusion of one year of apprenticeship, the apprentice shall be required to appear before the board. If the board determines acceptable progress by the apprentice in the practice of embalming in each quarter of the apprenticeship, the apprentice shall be granted a license to practice embalming. If the board determines that the progress of the apprentice is unacceptable in one or more quarters of the apprenticeship, the apprentice shall be required to successfully complete one or more additional quarters of an embalming apprenticeship.
(g) Each transcript and record filed with the board shall become part of the board's permanent files and records.
(h) If the applicant does not pass the examination within two years from the date of first application, that application shall automatically expire. Time served in the armed forces shall not be counted in computing this period. If the applicant desires to reapply, the applicant shall make a new application in accordance with subsection (b).
(i) If an apprentice embalmer fails to complete the apprenticeship within two years

following the successful completion of the examination, the apprenticeship shall expire. An extension of up to one year may be granted by the board in cases of illness or other extraordinary circumstances. Each application for extension shall be submitted on the form provided by the board. Time served in the armed forces shall not be counted in computing this period. If the applicant later desires to complete the apprenticeship, the applicant shall first retake and pass the embalmer's examination.
(j) Each applicant who passes the examination shall receive credit toward the apprenticeship for time spent in the armed forces if the applicant's primary duties were preparation of, and caring for, dead human bodies under the supervision of a person holding a valid embalmer's license in any state. This supervising licensee shall certify as to the duties of the applicant on forms approved by the board.
(k) Each embalmer apprentice shall serve full-time. "Full-time" means employed 40 hours per week for 50 weeks per year and available to assist in embalming 24 hours per day. (Authorized by K.S.A. 65-1730; implementing K.S.A. 1999 Supp. 65-1701a; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1969; amended Jan. 1, 1974; amended, E-76-14, Feb. 28, 1975; amended May 1, 1976; amended May 1, 1978; amended May 1, 1982; amended May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended June 26, 1989; amended March 19, 1990; amended Jan. 6, 1992; amended June 7, 1993; amended Dec. 6, 1993; amended April 3, 1995; amended Jan. 12, 2001.)

Ohio

4717.05 License qualifications.

(A) Any person who desires to be licensed as an **embalmer** shall apply to the board of embalmers and funeral directors on a form provided by the board. The applicant shall include with the application an initial license fee as set forth in section 4717.07 of the Revised Code and evidence, verified by oath and satisfactory to the board, that the applicant meets all of the following requirements:

(1) The applicant is at least eighteen years of age and of good moral character.

(2) If the applicant has pleaded guilty to, has been found by a judge or jury to be guilty of, or has had a judicial finding of eligibility for treatment in lieu of conviction entered against the applicant in this state for aggravated murder, murder, voluntary manslaughter, felonious assault, kidnapping, rape, sexual battery, gross sexual imposition, aggravated arson, aggravated robbery, or aggravated burglary, or has pleaded guilty to, has been found by a judge or jury to be guilty of, or has had a judicial finding of eligibility for treatment in lieu of conviction entered against the applicant in another jurisdiction for a substantially equivalent offense, at least five years has elapsed since the applicant was released from incarceration, a community control sanction, a post-release control sanction, parole, or treatment in connection with the offense.

(3) The applicant holds at least a bachelor's degree from a college or university authorized to confer degrees by the department of higher education or the comparable legal agency of another state in which the college or university is located and submits an official transcript from that college or university with the application.

(4) The applicant has satisfactorily completed at least twelve months of instruction in a prescribed course in mortuary science as approved by the board and has presented to the board a certificate showing successful completion of the course. The course of mortuary science college training may be completed either before or after the completion of the educational standard set forth in division (A)(3) of this section.

(5) The applicant has been certified by the board prior to beginning an embalmer apprenticeship.

(6) The applicant has satisfactorily completed at least one year of apprenticeship under an embalmer licensed in this state and has participated in embalming at least twenty-five dead human bodies.

(7) The applicant, upon meeting the educational standards provided for in divisions (A)(3) and (4) of this section and completing the apprenticeship required in division (A)(6) of this section, has completed the examination for an embalmer's license required by the board.

(B) Upon receiving satisfactory evidence verified by oath that the applicant meets all the requirements of division (A) of this section, the board shall issue the applicant an embalmer's license.

(C) Any person who desires to be licensed as a **funeral director** shall apply to the board on a form prescribed by the board. The application shall include an initial license fee as set forth in section 4717.07 of the Revised Code and evidence, verified by oath and satisfactory to the board, that the applicant meets all of the following requirements:

(1) Except as otherwise provided in division (D) of this section, the applicant has satisfactorily met all the requirements for an embalmer's license as described in divisions (A)(1) to (4) of this section.

(2) The applicant has been certified by the board prior to beginning a funeral director apprenticeship.

(3) The applicant, following mortuary science college training described in division (A)(4) of this section, has satisfactorily completed a one-year apprenticeship under a licensed funeral director in this state and has participated in directing at least twenty-five funerals.

(4) The applicant has satisfactorily completed the examination for a funeral director's license as required by the board.

(D) In lieu of mortuary science college training required for a funeral director's license under division (C)(1) of this section, the applicant may substitute a satisfactorily completed two-year apprenticeship under a licensed funeral director in this state assisting that person in directing at least fifty funerals.

(E) Upon receiving satisfactory evidence that the applicant meets all the requirements of division (C) of this section, the board shall issue to the applicant a funeral director's license.

(F) A funeral director or embalmer may request the funeral director's or embalmer's license be placed on inactive status by submitting to the board a form prescribed by the board and such other information as the board may request. A funeral director or embalmer may not place the funeral director's or embalmer's license on inactive status unless the funeral director or embalmer is in good standing with the board and is in compliance with applicable continuing education requirements. A funeral director or embalmer who is granted inactive status is prohibited from participating in any activity for which a funeral director's or embalmer's license is required in this state. A funeral director or embalmer who has been granted inactive status is exempt from the continuing education requirements under section 4717.09 of the Revised Code during the period of the inactive status.

(G) A funeral director or embalmer who has been granted inactive status …

South Carolina

SECTION 40-19-230. Qualifications for license as embalmer or funeral director; examinations; conditions for licensure without examination; renewal of licenses.

(A) A person may be issued a **license as an embalmer** if the person:

(1) is at least eighteen years of age;

(2) has not been convicted of a violent crime or found guilty of a felony or crime of moral turpitude;

(3) has a high school education or the equivalent of a high school education, the equivalence to be determined by the board;

(4) has completed successfully a regular course in an embalming college accredited by the American Board of Funeral Service Education and approved by the board;

(5) has completed a minimum of twenty-four months of service pursuant to Section 40-19-240 as an apprentice under the direct supervision of a licensed embalmer actively engaged in the practice of embalming in this State;

(6) has passed an examination prescribed by the board.

(B) A person may be issued a **license as a funeral director** if the person:

(1) is at least eighteen years of age;

(2) has not been convicted of a violent crime or found guilty of a felony or crime of moral turpitude;

(3) has a high school education or the equivalent of a high school education and has a minimum of two years of successful attendance at an accredited academic college or successful completion of a regular course of not less than one year, twelve scholastic months, in an accredited mortuary college;

(4) has completed a minimum of twenty-four months of service pursuant to Section 40-19-240 as an apprentice funeral director under the direct supervision of a licensed funeral director actively engaged in the practice of funeral directing in this State;

(5) has passed an examination prescribed by the board.

(C) An applicant for licensure must be examined on subjects as are prescribed by the board and the examination must be by a standardized written test. The passing grade must be established by the board in regulation.

An application for examination must be upon a form furnished by the board and must be accompanied by a fee established by the board in regulation. An application for examination must be submitted at least thirty days before the date of the examination.

(D) No license may be issued or renewed for a period exceeding two years, and all licenses and renewals expire on the thirtieth day of June unless sooner revoked or canceled. The date of expiration may be changed by unanimous consent of the board and upon ninety days' written notice of the change to all persons licensed by the board.

(E) A person holding a license under this chapter may have the license renewed for a two-year period by

applying within thirty days preceding or following the expiration of his license, upon forms provided by the board and payment of a renewal fee as established by the board in regulation. A person who fails to renew the license, at the discretion of the board, may have it renewed by making application and appearing before the board and paying a renewal and revival fee established by the board. The license of a person who is engaged actively in the military service of the United States may be held in abeyance for the duration of service, and the licensee may be relieved of the payment of renewal fees as the board considers justifiable and expedient.

(F) A permit for a crematory or a permit for a funeral establishment which operates a crematory may be renewed for a two-year period by applying within thirty days preceding or following the expiration of the permit, upon forms provided by the board, payment of a renewal fee as established by the board in regulation and passage of an inspection conducted by the board.

57–04. General Licensing Provisions for Embalmers.

An applicant for initial licensure as an embalmer must:

(A) be at least eighteen (18) years of age; and

(B) submit an application on forms approved by the Board, along with the required fee; and

(C) submit evidence of successful completion of a course of study in an embalming college accredited by the American Board of Funeral Service Education and approved by the Board; and

(D) submit evidence of a passing score of at least seventy-five (75) on an examination approved by the Board; and

(E) submit evidence of successful completion of a minimum of twenty-four (24) months of full time service as an apprentice under the direct supervision of a licensed embalmer approved by the Board; and

(F) has not been convicted of a violent crime or found guilty of a felony or crime of moral turpitude.

57–05. General Licensing Provisions for Funeral Directors.

An applicant for initial licensure as a funeral director must:

(A) be at least eighteen (18) years of age; and

(B) submit an application on forms approved by the Board, along with the required fee; and

(C) submit evidence of a high school diploma, or its equivalent and successful completion of a one year course in an accredited mortuary college, successful completion of a bachelor's degree from a regionally accredited college or university or successful completion of sixty (60) semester hours at a regionally accredited college or university, including a minimum of twenty-four (24) semester hours divided among at least four (4) of the following areas:

(1) Psychological Sciences: This area may include courses in General Psychology, Guidance/ Counseling, General Sociology, and other Psychology courses; and

(2) Business: This area may include courses in Accounting, Business Law, Math/Logic, Business Management, Typing, and Computer Science; and

(3) English: This area may include English, English Literature, and English Composition; and

(4) Natural/Biological/Physical Sciences: This area may include courses in Chemistry, Biology, Pathology, Microbiology, and Physiology; and
(5) Religion: This area may include courses in Religion, Bible, and Bible History; and
(D) submit evidence of successful completion of a minimum of twenty-four (24) months of fulltime service as an apprentice under the direct supervision of a licensed funeral director approved by the Board; and
the Board; and
(F) has not been convicted of a violent crime or found guilty of a felony or crime of moral turpitude.

57–06. General Licensing Provisions for Apprentice Funeral Directors or Apprentice Embalmers.

An applicant for an apprentice funeral director or apprentice embalmer must:
(A) be at least eighteen (18) years of age; and
(B) submit an application on forms approved by the Board, along with the required fee; and
(C) submit a Certificate of Apprenticeship signed by the apprentice, the licensee supervisor, and the manager of the establishment in which the apprenticeship is to be served.

57–06.1. Apprenticeship Requirements.

(1) An apprentice embalmer or funeral director must serve an apprenticeship of not less than twenty-four (24) months. Apprentice embalmers and funeral directors must be full-time employees as defined in this chapter; working under the direct supervision of a funeral director for funeral director apprentices or embalmer for embalmer apprentices who is licensed in South Carolina.
(2) During the course of the apprenticeship, an apprentice must submit reports of his or her funeral activities, indicating the actual number of funerals that he or she has assisted with and in what preparation he or she assisted with. All apprentices must report to the Board quarterly upon the forms provided by or approved by the board indicating all work completed during the reporting period.
(3) The apprentice must report quarterly, regardless of whether or not there has been any activity during the quarter. March 31, June 30, September 30 and December 31 are the due dates for quarterly reports for reporting purposes. Quarterly reports must be submitted to the office of the Board Administrator no later than thirty (30) days after the quarter's end. It is the sole responsibility of the apprentice to ensure that quarterly reports are received in the office of the Board Administrator. Quarterly reports not received on time may not be accepted for credit toward completion of the apprenticeship. In no case shall an apprentice be permitted to complete his or her apprenticeship unless the reporting requirement is met.
(4) The apprentice embalmer or funeral director must conduct all embalming and funeral direction activities under the supervision of the designated supervising licensee as approved by the Board.

When the apprentice is assisting with funeral directing activities or embalming activities, the supervisor must be present.

(5) If the apprentice leaves the supervision of the licensee in whose service he or she has been engaged, the supervisor shall give the apprentice an affidavit showing the length of time served toward completion of the apprenticeship. The apprentice must request and obtain permission from the Board to change supervisors by completing a new application and receiving approval to change supervisors from the Board.

(6) To complete his or her apprenticeship, an apprentice embalmer or funeral director must assist in the embalming of at least fifty (50) cases for an apprentice embalmer or assist the funeral director in at least fifty (50) funerals for an apprentice funeral director. The apprentice embalmer or apprentice funeral director must document all embalming and funeral cases that he or she assists in during the apprenticeship period.

(7) A certificate of apprenticeship is renewable twenty-four (24) months after registration for an additional twelve (12) months. A certificate of apprenticeship may not be renewed more than three (3) times.

(8) If an apprentice does not become licensed as a funeral director or embalmer within five (5) years of completing his or her apprenticeship, the Board may require the applicant to complete all or part of the apprenticeship period.

(9) If an apprentice embalmer or funeral director does not complete his or her apprenticeship within five (5) years from the date of application, the Board may require the applicant to complete all or part of the apprenticeship period.

(10) An apprentice may serve under one preceptor per license type.

Washington

RCW 18.39.035

Applicant for license as funeral director or embalmer—Eligibility.

(1) An applicant for a license as a funeral director shall be at least eighteen years of age and must have obtained an associate of arts degree in mortuary science or completed a course of not less than two years in an accredited college, and a one-year course of training under a licensed funeral director in this state. The applicant must also pass an examination in the funeral arts and an examination in the laws of this state pertaining to the handling, care, transportation, and disposition of human remains and the contents of this chapter.

(2) An applicant for a license as an embalmer must be at least eighteen years of age and have obtained an associate of arts degree in mortuary science or completed a course of instruction in an accredited mortuary science college program and other college courses that total sixty semester hours or ninety quarter hours, completed a two-year course of training under a licensed embalmer in this state, and have passed an examination in the funeral sciences and an examination in the laws of this state pertaining to the handling, care, transportation, and disposition of human remains, and the contents of this chapter.

RCW 18.39.045

College course requirements.

(1) The two-year college course required for funeral directors under this chapter shall consist of sixty semester or ninety quarter hours of instruction at a school, college, or university accredited by the Northwest Association of Schools and Colleges or other accrediting association approved by the board, with a minimum 2.0 grade point, or a grade of C or better, in each subject required by subsection (2) of this section.

(2) Credits shall include one course in psychology, one in mathematics, two courses in English composition, two courses in social science, and three courses selected from the following subjects: Behavioral sciences, public speaking, counseling, business administration and management, computer science, and first aid.

(3) This section does not apply to any person registered and in good standing as an apprentice funeral director or embalmer on or before January 1, 1982.

WAC 308-48-132

Funeral director licensure requirements.

An applicant for a license as a funeral director shall meet the following requirements:

(1) Be at least eighteen years of age;

(2) Complete the following education requirements at an accredited institution approved by the board:

(a) Obtain an associate of arts degree in mortuary science; or

(b) Complete two years of college course work as follows:

(i) Obtain sixty semester credits or ninety quarter credits of college-level instruction with a minimum 2.0 grade point, or a grade of C or better, in courses listed in (b)(ii) of this subsection.

(ii) Credits shall include one course in psychology, one in mathematics, two courses in English composition, two courses in social science, and three courses selected from the following subjects: Behavioral sciences, public speaking, counseling, business administration and management, computer science, and first aid.

(3) Complete a one-year internship with a licensed funeral director; and

(4) Pass an examination in the funeral arts and an examination in the laws of this state pertaining to the handling, care, transportation, and disposition of human remains and the contents of chapter 18.39 RCW.

(5) An applicant's military training or experience may satisfy some or all of the education and training requirements for licensure as determined by the board on a case-by-case basis.

WAC 308-48-135

Embalmer licensure requirements.

An applicant for a license as an embalmer must meet the following requirements:

(1) Be at least eighteen years of age.

(2)(a) Obtain an associate of arts degree in mortuary science; or

(b) Complete a course of instruction in an accredited mortuary science college program and other college courses that total sixty semester hours or ninety quarter hours.

(3) Complete a two-year internship under a licensed embalmer.

(4) Pass an examination in the funeral sciences and an examination in the laws of this state pertaining to the handling, care, transportation, and disposition of human remains, and the contents of chapter 18.39 RCW.

(5) An applicant's military training or experience may satisfy some or all of the education and training requirements for licensure as determined by the board on a case-by-case basis.

ABFSE Accreditation Information (Excerpted)

AMERICAN BOARD OF FUNERAL SERVICE EDUCATION

ABFSE
992 Mantua Pike, Suite 108
Woodbury Heights, NJ 08097
Phone: 816-233-3747
Email: exdir@abfse.org

Accreditation

The Committee on Accreditation is composed of funeral service faculty, practitioners and members of the public. This autonomous committee of ABFSE evaluates and certifies programs for accreditation. Colleges and universities which offer funeral service education programs are reviewed by this committee.

DEFINITION AND PURPOSE OF ACCREDITATION

Accreditation is a process through which a program or institution voluntarily submits to evaluation by its peers against an established set of standards. The American Board of Funeral Service Education, through its Committee on Accreditation, is charged with the responsibility for implementing a process to achieve the following:

1. develop, approve and improve the standards of funeral service education and thereby protect the public interest;
2. describe the characteristics of an accredited institution of funeral service education;
3. assist each institution in upgrading its own standards through a continuing system of self study, visitation, evaluation and consultation;
4. provide a dependable basis for prospective students' evaluation and selection of an institution offering funeral service education;
5. provide an opportunity for interinstitutional relationships; and
6. provide a list of accredited institutions to the public and to all agencies interested in funeral service.

The accreditation process has three major components:

1. Self study conducted carefully and thoroughly by the institution. The results are summarized in the Self study Report and submitted to the Committee on Accreditation.
2. On-Site Visit, conducted by a visiting committee selected by the Committee on Accreditation. The visiting committee prepares an On-Site Evaluation Report which is submitted to the Committee on Accreditation and reviewed by the program.
3. Committee on Accreditation Action, which is based upon a thorough review of all documentation, including the program's formal responses to the on-site report.

Each of the above components is discussed in detail in Chapter V (Accreditation Procedures) of the *ABFSE Accreditation and Policy Manual*.

THE ABFSE COMMITTEE ON ACCREDITATION

The Committee on Accreditation is a standing committee of the American Board of Funeral Service Education. It functions autonomously and independently of the American Board. The Committee has the sole authority to approve and revise standards, grant candidacy, award or deny accreditation, and take all other actions related to an applicant's accreditation status except Appellate Review.

The Committee consists of twelve members selected by the Committee, including two public members. (See membership in Article VI A of the By-Laws.)

Membership includes one representative from each affiliated organization, three representatives of the private institutions of funeral service education, three representatives of the public institutions of funeral service education and one at-large educator from the College and University Council.

At least 25% of the voting members of the COA (includes one educator and one public member) must demonstrate significant experience in Distance Learning at the supervisory, developmental, or practitioner level.

Public members cannot be:

a. An employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that either is accredited or preaccredited by the COA or has applied for accreditation or preaccreditation;

b. A member of any trade association or membership organization related to, affiliated with, or associated with the COA or ABFSE; or

c. A spouse, parent, child, or sibling of an individual identified in paragraph a or b of this definition.

The Committee appoints educators from disciplines other than funeral service education to serve as Chairpersons of on-site visiting committees; the chairpersons' appointments are for three-year terms. The Committee and its staff are responsible for selecting members in accordance with Chapter V of the *ABFSE Accreditation and Policy Manual*.

COMPLAINT PROCEDURES

- Complaints about accredited program
  Alleged Violations of the Standards of Accreditation may be brought to the attention of the Executive Director of the American Board by submission of notarized affidavits by persons or agencies. Such notification normally must be made within 3 months of the complainant becoming aware of the standard alleged to have been violated and after all available campus procedures have been pursued. The Committee on Accreditation will not consider alleged violations which can be and are more properly resolved within the institution's own system of due process and grievance or situations which are outside the accreditation standards. See page 8-3 Chapter VIII, G. of the *ABFSE Accreditation and Policy Manual*.

- Complaint Form (Also available in Appendix P-9)

- Complaints about Committee on Accreditation
  See Chapter X, N, page 10-6 of the *ABFSE Accreditation and Policy Manual* for procedures to be used.

Learn more about accreditation in the *ABFSE Accreditation and Policy Manual* (PDF)

Accreditation Committee (COA) Members (PDF)

Accreditation Decisions

Learn more about Accreditation and Degree Mills

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AMERICAN BOARD
of
FUNERAL SERVICE EDUCATION
and the
COMMITTEE ON ACCREDITATION

ACCREDITATION and POLICY MANUAL

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INTRODUCTION

The ABFSE Accreditation and Policy Manual (The Manual) provides the framework for institutions and programs, the funeral profession and the public to understand and evaluate the process of accreditation of funeral service education.

The Mission of ABFSE is to advance funeral service education and practice through high standards that prepare students for careers. The Manual includes the accreditation standards and the policies and procedures of ABFSE, including the Constitution and By-Laws.

The ABFSE Committee on Accreditation reviews The Manual on a continuous basis making minor revisions and editorial changes as appropriate. Major revision dates are indicated on the footer of each page of the Manual.

Accreditation Standards undergo formal review every five years as described in Chapter X, Section F. Procedures for Review of Standards are found in Appendix H. The most recent Review of Standards involved a 2-year process which began in 2017 and culminated in April 2019 approval with the revised standards taking effect January 1, 2020.

The Manual is available on-line and may be downloaded without charge from the ABFSE website www.abfse.org via the 'About' tab or the 'Accreditation' tab.

Questions about any aspect of The Manual and/or suggestions for correcting any errors identified in the text are welcomed.

NOTE: At present, the COA only accredits institutions and programs in the United States. However, the COA would consider applications for accreditation from institutions and programs in other countries. Accordingly, references to "state" throughout The Manual are properly viewed as inclusive of other appropriate governmental entities. Similarly, language throughout referring to degrees, semesters, terms, governance, etc., may be considered as implicitly including reasonable equivalencies as determined by the COA.

>>> Please direct inquires and comments to <<<

Executive Director
American Board of Funeral Service Education
992 Mantua Pike, Suite 108
Woodbury Heights, NJ 08097

Phone: (816) 233-3747
FAX: (856) 579-7354

Email: exdir@abfse.org
Web: www.abfse.org

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CHAPTER I

THE AMERICAN BOARD OF FUNERAL SERVICE EDUCATION

BRIEF HISTORY

The predecessor of the American Board of Funeral Service Education was established in 1946 as the Joint Committee on Mortuary Education (Joint Committee) by joint resolutions of the National Funeral Directors Association (NFDA), the Conference of Funeral Service Examining Boards of the United States (renamed the International Conference of Funeral Service Examining Boards in 1998 - ICFSEB) and with the concurrence of the associations of school and colleges concerned with funeral service education.

The Joint Committee was composed of three representatives appointed by NFDA, three representatives appointed by The Conference, and three representatives of the schools and colleges.

The original constitution provided that the Joint Committee "shall make and enforce its rules and regulations governing its procedure and conduct, and [it] shall formulate and promulgate and enforce rules and regulations setting up standards concerning the schools and colleges teaching mortuary science."

The constitution also stated, "the power to accredit schools and colleges of mortuary science shall be vested in the Conference of Funeral Service Examining Boards of the United States, Inc.," with the further provision that "schools and colleges of mortuary science shall have the right of appeal from decisions of the accreditation committee of the Conference of Funeral Service Examining Boards of the United States, Inc. to the appellate board of the Joint Committee on Mortuary Education. Rules and procedures for the appellate board shall be promulgated by the Joint Committee on Mortuary Education."

In 1959, the name of the Joint Committee on Mortuary Education was changed to the American Board of Funeral Service Education.

In 1962, authority for accreditation of funeral service institutions/programs was transferred from the Conference to the American Board of Funeral Service Education (ABFSE). The ABFSE has continued that function and is currently the only accrediting agency in the United States in the field of funeral service education.

In keeping with the principle of accreditation by peers, the ABFSE amended its constitution and by-laws in 1970 to provide for the establishment of a Commission on Schools within the framework of a restructured American Board of Funeral Service Education.

The function of the Commission on Schools was described as:

1. to prepare for and certify to the American Board criteria and procedures for accreditation;
2. to receive reports of the Standards and Criteria committee and to certify to the American Board those schools that meet such criteria and are to be accredited; and
3. to establish, in cooperation with the American Board, appellate procedures on accreditation certifications of the Commission.

In 1978, in response to recommendations made by the U.S. Office of Education, an ad hoc committee of the American Board of Funeral Service Education was appointed for the purpose of restructuring the ABFSE in accordance with U.S. Office of Education recommendations. At that time, the Commission on Schools was changed to an autonomous and self-perpetuating standing committee of the Board and renamed the Committee on Accreditation (COA).

The American Board of Funeral Service Education has been recognized by the U.S. Dept. of Education (formerly the U.S. Office of Education) as the accrediting agency in funeral service education since 1972 and the American Board was accepted into the Council on Postsecondary Accreditation (COPA) in 1988 as a member of its Assembly of Specialized Accrediting Bodies. In 1993, COPA became the Council on Recognition of Postsecondary Accreditation

(CORPA) which continued recognition of the ABFSE. Since 1997, ABFSE has been recognized by the Council for Higher Education Accreditation (CHEA), which replaced CORPA.

In 2011, the Council for Higher Education Accreditation (CHEA) renewed the recognition of the ABFSE Committee on Accreditation for a ten-year period. ABFSE submitted interim reports to CHEA in 2015 and 2018 and again in 2019-20 as CHEA transitions to a seven-year recognition cycle.

The National Advisory Committee on Institutional Quality and Integrity (NACIQI) makes recommendations to the U.S. Department of Education regarding recognition of accreditors. In June 2008, NACIQI recommended that the US Secretary of Education grant continued recognition to ABFSE for the full period of five years. After several delays due to changes at The Department of Education, ABFSE recognition was re-affirmed in 2012.

During 2015, ABFSE completed the re-recognition petition for the US Department of Education and appeared before NACIQI once again. Five-year recognition renewal was granted by the US Secretary of Education. The next recognition renewal is expected to commence in 2020.

In 1987, the curriculum of the American Board of Funeral Service Education underwent a complete review and a new policy on annual reviews was implemented to ensure that each curriculum outline is updated at least every 5 years. In 1988 and again in 1995, the Manual on Accreditation was extensively rewritten and updated to incorporate many necessary policy changes as recommended by USDE, CORPA, and ABFSE members. Additional revisions and editorial changes have occurred on an annual basis since them.

In 1995, all Standards of Accreditation were reviewed and updated by the Committee on Accreditation and provisions were instituted for future reviews every five years.

In 1995, ABFSE membership included 42 accredited college and university programs in Funeral Service Education and Mortuary Science, with four additional programs in the process of applying for accreditation. In 2019, there were 57 accredited programs, 3 programs in candidacy and 1 in the process of applying for accreditation.

In April 2002, the American Board of Funeral Service Education approved a new Constitution and By-Laws which, included provisions for membership of additional funeral service organizations. The National Funeral Directors and Morticians Association (NFDMA) was admitted to full ABFSE membership in September, 2002. In 2009, the International Cemetery, Cremation and Funeral Association (ICCFA) also became a member. Cremation Association of North America (CANA) was approved for membership in 2017 and ICCFA withdrew from membership in May 2018.

The Committee on Accreditation (COA) expanded its voting membership when it welcomed a representative from the National Funeral Directors and Morticians Association in April, 2005. In 2012, ICCFA and the College and University Council were added to the voting membership of the COA. ICCFA withdrew from membership in May 2018. Voting members of COA currently total 11: 7 educators, 2 industry representatives and 2 public members. A CANA representative is slated to join COA in 2020.

Institutions accredited by ABFSE must offer a program at the associate degree level or higher, or its equivalent (i.e., 60 semester credits of a prescribed curriculum) and meet the required standards of the ABFSE. The ABFSE Accreditation and Policy Manual is available on-line and may be downloaded without charge from the ABFSE website www.abfse.org via the 'About' tab or the 'Accreditation' tab. Revised accreditation standards take effect January 1, 2020.

Interested parties are invited to submit written comments concerning the qualifications for accreditation or candidacy of any listed program. Comments received will be considered by the Committee on Accreditation as part of its regular program review.

CHAPTER IX

ACCREDITATION STANDARDS

(New Standards effective January 1, 2020)

INTRODUCTION

Accreditation of Funeral Service Education programs is intended to help ensure that the same basic elements of funeral service education apply regardless of where a student is educated. Standards have been developed to foster this goal.

Accreditation decisions, including Candidacy, are based upon compliance with the standards.
Accredited programs will be referred to as programs throughout the standards whether offered by a single purpose institution or multi-purpose institution. Provisions to address the specific characteristics of the different types of institutions and different delivery modalities do exist.

The provisions contained in the Standards are separable. If any section, sub-section, paragraph, sentence, clause, phrase, or requirement contained herein shall be held to be illegal or unenforceable, such illegality or unenforceability of such part shall not affect or in any way impair the validity, application, or enforceability of the remaining portion of that section.

ACCREDITATION STANDARDS

STANDARD 1: STRUCTURE, ORGANIZATION, and ADMINISTRATION

STANDARD 2: PROGRAM LEARNING OUTCOMES

STANDARD 3: ADMINISTRATIVE PRACTICES AND ETHICAL STANDARDS

STANDARD 4: FINANCE

STANDARD 5: CURRICULUM

STANDARD 6: FACULTY

STANDARD 7: FACILITIES

STANDARD 8: LIBRARY / LEARNING RESOURCES

STANDARD 9: STUDENTS

STANDARD 10: PROGRAM PLANNING AND EVALUATION / ASSESSMENT

STANDARD 11: DEFAULT RATES IN THE STUDENT LOAN PROGRAMS UNDER TITLE IV and COMPLIANCE WITH TITLE IV PROGRAM RESPONSIBILITIES

STANDARD 12: PROGRAM LENGTH, TUITION, AND FEES MUST RELATE TO SUBJECT MATTER

STANDARD 13: PROGRAM LENGTH IN CREDIT HOURS

ACCREDITATION STANDARDS

STANDARD 1: STRUCTURE, ORGANIZATION, and ADMINISTRATION

1.1 The institution must provide evidence that it assumes responsibility for:

- 1.1.1 curriculum content,
- 1.1.2 classroom teaching, distance instruction, clinical education, including clinical field experience,
- 1.1.3 appointment and evaluation of faculty,
- 1.1.4 policies and procedures for institutional admission, as well as program admission if that process differs,
- 1.1.5 approval by the appropriate governing authority in which it is located or within which it offers instruction to award the diploma, certificate and/or degree(s) for which it seeks accreditation, and
- 1.1.6 awarding a diploma, certificate, or degree documenting completion of the program.

1.2 If a program is associated with, or financially sponsored by, an organization whose main purpose is other than education, the sponsoring institution must provide written evidence of sufficient separation between the host institution and the program to guarantee an effective, independent, and objective learning environment.

1.3 The governing board must be the legally constituted group which holds the assets of the institution in trust. It must be responsible for sustaining the institution, approving its objectives, and implementing and controlling the program.

- 1.3.1 The institution must provide a complete list of members of the governing board.
- 1.3.2 The institution must maintain the by-laws, agenda, minutes or other governing documents pertaining to the governing board for review since the last comprehensive team visit.
- 1.3.3 Programs must have an advisory board and maintain minutes of its meetings since the last comprehensive review.

1.4 The authority and responsibility of each organizational component of the sponsoring institution (governing board, campus and program administration, faculty, students) together with the processes by which they function or interrelate, must be clearly described by means of a current constitution, by-laws, or some similar means.

1.5 The administration of the institution and/or program must:

- 1.5.1 provide educational leadership to establish good learning opportunities for students,
- 1.5.2 create working conditions that support faculty productivity
- 1.5.3 establish an expeditious process allowing for communication flow both downward and upward within the organization in order for the administration to assess the achievements of its goals and the needs of its constituents;

1.6 An institution must have a defined structure capable of carrying out its mission that is evidenced by an organizational chart showing the hierarchy from the governing board to the program level and includes units related to assessment/evaluation and distance education.

- 1.6.1 A single purpose institution must be administered by a chief administrative officer, directly accountable only to the governing board for the management of the institution. All other employees must report directly, or indirectly, to this chief administrative officer.
  - 1.6.1.a This officer may also be a member of the teaching faculty, as long as the teaching load is reduced commensurate with administrative duties.

- 1.6.2 A program within a multi-purpose institution must be administered by a director who has been delegated responsibility for the program. All other employees assigned to the program must report directly or indirectly, to this person.
  - 1.6.2.a This director may also be a member of the teaching faculty, as long as the teaching load is reduced commensurate with administrative duties.

1.7 The individual directly responsible for the funeral service education program must:

- 1.7.1 be a full-time employee of the institution
- 1.7.2 be a graduate of an ABFSE accredited program
- 1.7.3 possess a valid license to practice as a funeral service professional
- 1.7.4 possess an academic background consistent with the position of leadership held.
  - 1.7.4.a. This will always involve at least the master's degree from a regionally accredited college or university earned within five years of the date of the initial full-time appointment in funeral service education.
  - 1.7.4.b. For program administrators earning degrees in colleges or universities outside the United States, the institution awarding the degree must have fulfilled governmental standards which in the judgment of American Association of Collegiate Registrars and Admissions Officers (AACRAO) are acceptable or similar to those of the ABFSE.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions with one or more program courses available through distance education must demonstrate that the program is authorized to operate where its students reside.

Institutions with 50% or more of their program available through distance education must:

- Demonstrate that distance education is appropriate to the institution's and *Funeral Service Program's* mission and purposes;
- Demonstrate how distance education is incorporated into the institution's systems of governance and academic oversight;
- Demonstrate how professional licensure requirements are communicated to students.

STANDARD 2: PROGRAM LEARNING OUTCOMES

2.1 The central objective of an ABFSE-accredited program must be to educate students in every phase of funeral service so that program graduates are prepared for entry-level employment in funeral service. In support of this objective, a program must adopt at least the following Learning Outcomes:

Upon completion of an accredited program, students will be able to:

- 2.1.1 Explain the importance of funeral service professionals in developing relationships with the families and communities they serve.
- 2.1.2 Identify standards of ethical conduct in funeral service practice.
- 2.1.3 Interpret how federal, state, and local laws apply to funeral service in order to ensure compliance.
- 2.1.4 Apply principles of public health and safety in the handling and preparation of human remains.
- 2.1.5 Demonstrate technical skills in embalming and restorative art that are necessary for the preparation and handling of human remains.
- 2.1.6 Demonstrate skills required for conducting arrangement conferences, visitations, services, and ceremonies.
- 2.1.7 Describe the requirements and procedures for burial, cremation, and other accepted forms of final disposition of human remains.
- 2.1.8 Describe methods to address the grief-related needs of the bereaved.
- 2.1.9 Explain management skills associated with operating a funeral establishment.
- 2.1.10 Demonstrate verbal and written communication skills and research skills needed for funeral service practice.

2.2 The Program Learning Outcomes must be in the published information sources of the program (other than brief marketing materials).

2.3 The program must assess the achievement of the Learning Outcomes both in courses and in measurements such as licensing exam pass rates and graduation and employment rates.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions with one or more program courses available through distance education must demonstrate that:

- distance education is appropriate to the institution's and *Funeral Service Program's* mission and purposes.
- curricula for the distance education offerings comparable in academic rigor to programs offered in traditional instructional formats.
- evaluation of distance education offerings occurs, and that evaluation results are used to enhance the program.

STANDARD 3: ADMINISTRATIVE PRACTICES AND ETHICAL STANDARDS

3.1 Each institution and program must conduct their business and academic activities in an ethical manner. In this regard, each institution program must

3.1.1 publish and adhere to a personnel policy assuring equal employment opportunity for all qualified persons; maintain admissions, financial aid, and education services policies for students assuring equal consideration without regard to race, color, sex, national origin, age, disability, marital status, or veterans status; and

3.1.2 ensure that publications and advertising accurately portray the realities of the program and institution.

The catalog of each institution must give as much information as possible to include entire curriculum and program of study containing at least the following:

3.1.2.a course names and identification numbers;
3.1.2.b summary descriptions and credit hours;
3.1.2.c requirements for admission;
3.1.2.d requirements and processes for withdrawal and graduation;
3.1.2.e academic calendars;
3.1.2.f grading policies; and
3.1.2.g financial policies for tuition, fees, and refunds.

3.1.3 The institution must maintain proper records and reports as follows:

3.1.3.a Adequate and secure filing systems for student academic records must exist and policies must be in place to ensure maintenance of these records in perpetuity.

3.1.3.b Program records, such as clinical reports, surveys, affiliation agreements and accreditation-related documents must be maintained from the date of the last comprehensive accreditation visit. Institutional oversight and procedures must be in place to ensure maintenance and continuity of these records when personnel changes take place.

3.1.3.c Student academic transcripts must indicate the quality of the student's work in each course and the extent of each course, expressed in either semester or quarter credits. Grading systems must be explained on the transcript.

3.1.3.d In the event a program ceases to function, maintenance of student and program records in perpetuity must be ensured.

3.3 Any reference by a program to accreditation in catalogs, bulletins, or other official publications and communication or other media must read as follows:

<u>Programs in a multi-purpose institution will use</u>:

The (name of the accredited degree program) at (name of sponsoring institution) is accredited by the American Board of Funeral Service Education (ABFSE), 992 Mantua Pike, Suite 108, Woodbury Heights, NJ 08097 (816) 233-3747. Web: www.abfse.org

When ABFSE serves as 'gatekeeper' for the single purpose institution the statement should read: (name of sponsoring institution) and the (name of the accredited degree program) are accredited by the American Board of Funeral Service Education (ABFSE), 992 Mantua Pike, Suite 108, Woodbury Heights, NJ 08097 (816) 233-3747. Web: www.abfse.org

NOTE: The reference to accreditation must name the specific program accredited by the ABFSE. If the institution offers more than one degree (or its equivalent) program accredited by ABFSE, the names of all accredited programs must appear in the accreditation statement. (This requirement is particularly important in those institutions offering other areas of instruction which are not accredited, or eligible for accreditation, by the ABFSE.)

3.4 ABFSE accredited institutions or programs which choose to offer, in addition to one or more accredited programs, unaccreditable programs must comply with the following procedures:

- 3.4.1 Publications describing the unaccreditable program must contain the following information: "This academic program is designed to meet specific state or professional needs. It is not accredited by the American Board of Funeral Service Education. Students graduating from this program are not eligible to take the National Board Examination or any state board examination for which graduation from an ABFSE accredited program is required."
- 3.4.2 In addition, the academic transcript for graduates of unaccreditable programs must carry the statement: "This academic program is designed to meet specific state or professional needs. It is not accredited by the American Board of Funeral Service Education. Students graduating from this program are not eligible to take the National Board Examination or any state board examination for which graduation from an ABFSE accredited program is required."

3.5 Written policies must exist which ensure due process for students, faculty, and staff, including grievance procedures, clearly defined disciplinary policies, and sexual harassment policies.

- 3.5.1 All written student complaints about the program that follow the institution's or other governing entity's stated procedure must be available for review.
- 3.5.2 The program must file a written response or demonstrate resolution of complaints that have been received.
- 3.5.3 Written student complaints are to be reported on the Annual Report.

3.6 Honesty and integrity are required of all accredited programs and each program will conduct itself in an ethical manner. Violations of ethics include, but are not limited to:

- 3.6.1 Providing false, misleading, or distorted information directly or by omission to the ABFSE or Committee of Accreditation (COA);
- 3.6.2 Engaging in illegal conduct;
- 3.6.3 Presenting false information to students, faculty, staff or the public;
- 3.6.4 Engaging in intentional conduct that is coercive to students or prejudicial to student learning or outcomes
- 3.6.5 Any other conduct that is generally regarded as unethical in higher education, accreditation of educational programs and institutions, or funeral service.

3.7 See also Standards 4.1 and 11.2 (if applicable) for additional topics subject to Administrative Practices and Ethical Standards.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions with one or more program courses available through distance education must:

- demonstrate that policies on academic integrity include explicit references to distance education
- demonstrate that web-based information about the nature of the distance education environment is available to students
- assist students in determining if they possess the skills important to success in distance education.

STANDARD 4: FINANCE

4.1 The institution/program must have adequate financial resources to provide instruction and facilities in compliance with this manual and to ensure graduation of each cohort accepted.

4.2 The program must have resources budgeted on a continuing basis that are sufficient to provide instruction, current technology, equipment, student and academic support in compliance with this manual's standards.

4.3 The institution must employ acceptable accounting practices and must provide the most current audited financial statements. Any audit exceptions or advisories that appear in the most recent audit must be reported.

4.4 A program in a multiple-purpose institution must have program level involvement in the budget development process.

4.5 Institutions for which ABFSE is the gatekeeper must demonstrate a ratio of current assets to current liabilities that is at least 1:1 for the most recent fiscal year.

4.6 The institution must have processes in place to address unexpected expenditures.

4.7 The financial accounting system for institutions must not be combined with financial affairs of any other organizations.

4.8 The Executive Director of the ABFSE must be notified of any unexpected expenditures or revenue short-falls that might impact instruction or compliance with this manual's standards.

4.9 Institutions that are not regionally accredited and for whom the ABFSE acts as gatekeeper must maintain copies of all contracts in force since the last comprehensive visit.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions and/or Funeral Service Programs in which 50% or more of program requirements are available through distance education must provide sufficient resources to support and, if appropriate, expand the Funeral Service Program's distance education offerings.

STANDARD 5: CURRICULUM

5.1 Each program must document curriculum distribution by ABFSE content area by completing Form B-6, (found in Appendix B) "Curriculum Distribution by ABFSE Content Area."

5.2 The ABFSE recognizes the Associate Degree, or its equivalent, as the minimum educational standard for preparation for the funeral service profession.

5.2.1 The program must consist of not less than 60 semester (90 quarter or the equivalent where credits are measured by a different means) credits.

5.3 The program must have and follow an organized curriculum plan.

5.3.1 The plan must follow a logical sequence and result in a diploma or degree appropriate to the length and depth of the curriculum.

5.3.2 Semester or quarter credit hours must be assigned to all courses and apportioned appropriately.

5.3.3 A syllabus must be available for each course offered in the program. Each syllabus must include written course objectives and must be distributed to students at the beginning of that course. The course objectives must be reviewed on a continuing basis.

5.3.4 All required prerequisite courses must be clearly indicated in institutional publications.

5.3.5 The program curriculum must consist of at least two components: general education courses and funeral service courses.

5.3.6 At least 25% of the total credits must be in the general education component.

5.3.7 Instruction must be at a level generally held commensurate with postsecondary education and directed toward the individual growth of each student in areas such as independent thought, resourcefulness, and scientific inquiry.

5.3.8 Students must be evaluated at reasonable intervals and kept informed of their progress in a timely manner.

5.4 The manner of inclusion of ABFSE stipulated content is left to the individual program to decide, provided the minimum content as stipulated in the following is included. Some of the current ABFSE content areas may be counted toward the general education component, as long as they are not counted toward any other portion of the ABFSE requirements. The minimum requirements for the Funeral Service Education degree program must include:

5.4.1 Public Health and Technical 14 minimum semester (21 quarter) credits. The curriculum must involve a distribution of study in the following content areas:

- 5.4.1.a Chemistry
- 5.4.1.b Microbiology
- 5.4.1.c Human Anatomy
- 5.4.1.d Pathology
- 5.4.1.e Restorative Art
- 5.4.1.f Embalming

5.4.2 Business Management and Professional 16 minimum semester (24 quarter) credits. The curriculum must involve a distribution of study in the following content areas:

- 5.4.2.a Accounting
- 5.4.2.b Funeral Service Management
- 5.4.2.c Funeral Merchandising
- 5.4.2.d Cremation
- 5.4.2.e Funeral Directing
- 5.4.2.f Small Business Management
- 5.4.2.g Professional or Business Communications
- 5.4.2.h Federal Trade Commission

5.4.3 Social Sciences/Humanities 6 minimum semester (9 quarter) credits. The curriculum must involve distribution of study in the following content areas:

- 5.4.3.a Sociology
- 5.4.3.b History of Funeral Service and Embalming
- 5.4.4.c Funeral Service Psychology and Counseling

5.4.4 Legal, Ethical, Regulatory 3 minimum semester (4 quarter) credits. The curriculum must involve a distribution of study in the following content areas:

- 5.4.4.a Funeral Service Law
- 5.4.4.b Business Law
- 5.4.4.c Ethics

5.4.5 General Education Each associate degree student must earn a minimum of 60 (90 quarter) credits; each bachelor degree student must earn a minimum of 120 (180 quarter) credits of which at least 25% of the total credits required by the program for earning a degree must be in general education, non-technical, courses. In addition, each student must complete sufficient general education credits to meet graduation requirements for the Associate Degree (or its equivalent) or Baccalaureate Degree as described by each state or province/territory and institution if the student is enrolled in a degree program.

5.4.6 The Embalming is a requirement of the curriculum:

5.4.6.a Each student must actively participate in at least ten embalming cases in order to fulfill the clinical embalming component of the curriculum.

There shall be no more than five (5) students per case receiving credit for a specific embalming. There may be additional students observing; however, they may not interrupt or interfere with the embalming process or distract the preceptor while the embalming is in process.

5.4.6.b Active participation means hands-on learning and must include, at a minimum, the following tasks:

- 5.4.6.b.i raising vessels
- 5.4.6.b.ii mixing fluids
- 5.4.6.b.iii injecting fluids
- 5.4.6.b.iv cavity treatment
- 5.4.6.b.v suturing incisions
- 5.4.6.b.vi posing features

5.4.6.c Credit for individual cases will be allowed for only those students actively participating. No embalming case credit shall be given for those students observing the case. The number of observing students must be limited to ten (10) unless a video system or amphitheater is large enough to accommodate additional students without interfering with those students actively participating.

5.4.6.d Embalming case reports validating student participation are required, must be uniform in nature, and signed by the student and the instructor or preceptor. Each case report must document:

- 5.4.6.d.i details of embalming treatments and
- 5.4.6.d.ii a detailed list of the student's participation in the case

5.4.6.e The program must provide substantive evidence of the technical competence of each graduating student. Such certification must be performed by a faculty member.

5.4.6.f Embalming case reports must be retained for at least seven years.

5.4.6.g Embalming cases may be completed in an on-campus setting or at an off-campus instructional site.

5.4.6.h If preceptors are used, there must be an identified certification process in place and formal documentation that each preceptor has been properly oriented about the school's requirements concerning knowledge base, competency, and evaluation of student procedures and criteria.

5.4.6.i Off-campus instructional sites where students receive college credit are to be physically visited by a representative of the program and approved prior to the start of instruction. Instruction includes management, funeral directing and clinical. These visits must occur at least once every three years or prior to each use if the use occurs intermittently over a period of several years. Visits must also occur whenever physical changes to the facility are reported. Inspections of off-campus instruction sites must ensure the location has a valid, current license. In addition, inspections must ensure that off-campus sites are clean and adequate for instructional purposes. The inspection must ensure that appropriate equipment and protocols (drench shower, eye wash station, SDS and blood borne pathogen program, ventilation system, proper protective equipment, etc.) are in place and functioning.

5.4.6.j In addition, each student must participate in an on-campus laboratory setting in which the application of restorative art principles is practiced.

5.4.7 Participation in Funeral Directing is a requirement of the curriculum. Each student must actively participate in the funeral tasks included in this standard.

5.4.7.a Active participation means hands-on learning and must include, the tasks enumerated in 5.4.7.2 - 5.4.7.7.

5.4.7.b Students must utilize the following forms:

- 5.4.7.b.i First call form

5.4.7.b.ii Arrangement worksheet
5.4.7.b.iii FTC-compliant General Price List
5.4.7.b.iv FTC-compliant Casket Price List
5.4.7.b.v FTC-compliant Outer Burial Container Price List
5.4.7.b.vi Embalming Authorization form
5.4.7.b.vii Cremation Authorization form

5.4.7.c First call - Students must demonstrate the process of receiving five (5) first calls. This can be done in a simulation setting.

5.4.7.d Transfer of remains - Students must demonstrate the process of performing a body removal. This can be done in a simulation setting.

5.4.7.e Arrangement Conference - Students must participate (observe or assist) in five Arrangement Conferences. If done in a simulation setting, no more than 5 students may receive credit at one time (during 1 simulation).

5.4.7.f As part of the Arrangement Conference requirement in 5.4.7.e, students must prepare the following at least one time:
5.4.7.f.i Death Certificate
5.4.7.f.ii Burial Transit permit
5.4.7.f.iii Social Security form (Statement of Death by Funeral Director)
5.4.7.f.iv Death notice
5.4.7.f.v Obituary
5.4.7.f.vi FTC-compliant Statement of Funeral Good and Services Selected
5.4.7.f.vii Veterans flag application, burial benefits forms, and headstone/marker forms
5.4.7.f.viii Final disposition permit

5.4.7.g Funeral Observation - Students must observe five funeral related practices. Three of the five must be from the following list: Liturgical, Non-liturgical, Secular, Chapel, Graveside, Military, Fraternal, Memorial (without the deceased), Direct Cremation, or Other (describe). Credit may be awarded for only one experience per case. Educators are to assure that students will attend a variety of services with no duplication.

5.4.7.h Method of documenting student's funeral observation shall be at the discretion of the program, but records must be maintained since the last comprehensive review.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions with one or more program courses available through distance education must demonstrate:

- how distance education is incorporated into the institution's systems of governance and academic oversight
- how curricula for the Institution's and Funeral Service Program's distance education offerings are comparable in academic rigor to programs offered in traditional instructional formats

STANDARD 6: FACULTY

6.1 Members of the teaching faculty must be qualified in accordance with certain degree and professional requirements, as follows:

6.1.1 All full-time or part-time faculty must have a bachelor's or higher degree from a regionally accredited college or university documented by official transcripts.

6.1.2 All newly and re-appointed full-time faculty must earn a master's degree or higher from a regionally accredited college or university within five years of their initial appointment date. Faculty who fail to meet the five-year requirement are not allowed to teach in any ABFSE accredited program until the degree is awarded. For faculty earning degrees in colleges or universities outside the United States, the institution awarding the degree must have met degree standards which in the judgment of AACRAO are acceptable or similar to those of ABFSE.

6.1.3 The only exception to the above is in the category of laboratory assistant, guest lecturer, clinical instructor, preceptor, or comparable positions. Individuals in such categories must serve under the supervision of a qualified faculty member, as above.

6.1.4 Faculty members who teach embalming, funeral directing, or restorative art courses must be graduates of an ABFSE-accredited program. If the faculty member graduated from a funeral service program outside the United States, the program must have academic requirements and standards equivalent to an ABFSE-accredited program. The following additional requirements must also be met:

6.1.4.a a faculty member teaching embalming must be licensed to practice where required by law and have sufficient training and at least one year of experience as an embalmer. A faculty member teaching clinical embalming must meet the above requirements and be licensed to practice embalming in the state in which he/she is teaching.

6.1.4.b a faculty member teaching funeral directing, merchandising or funeral service management must be licensed to practice funeral directing and have sufficient training and experience in funeral service practice to enable proper instruction;

6.1.4.c a faculty member teaching restorative art must be licensed to practice embalming and have sufficient experience to enable proper instruction.

6.1.4.d a faculty member teaching other required or elective courses must have sufficient specialized education or experience in these subjects to enable proper instruction.

6.2 All personnel serving as off-campus preceptors must be licensed to practice funeral directing, embalming or both. Embalming preceptors must be graduates of ABFSE accredited programs. If the preceptor graduated from a funeral service program outside the United States, the program must have academic requirements and standards equivalent to an ABFSE accredited program.

6.2.1 Preceptor credentials must be verified by the program in one of the following ways:

6.2.1.a Have on file an official transcript from the accredited funeral service program from which the preceptor graduated plus a copy of his or her state license;

6.2.1.b Have on file a copy of the preceptor's license from the state licensing authority (if the state requires graduation from an ABFSE accredited program)

6.2.1.c Have on file a copy of (or be able to provide access to) verification from the State web site that the preceptor is licensed in the state (if the state requires graduation from an ABFSE accredited program) with the name of the preceptor and date of the issuance of the license maintained by the program.

6.3 Faculty development opportunities must be available.

6.4 Faculty must be involved in the conduct of the academic program including maintaining standards pertaining to instruction and research.

6.5 The program must provide instructional support for faculty, in the form of library access, office facilities, and involvement in program planning.

6.6 Student-teacher ratios must be available for review and must not exceed 30:1 overall (full-time equivalent per federal/state guidelines/definitions) in the funeral service program, and no more than 25:1 headcount for laboratory sessions, no more than a 5:1 headcount may be maintained for each clinical embalming case and no instructor may supervise more than 3 embalming cases at any one time.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions with one or more program courses available through distance education must demonstrate how distance education faculty are appropriately qualified and effectively supported to deliver courses and evaluate students' success in achieving distance education goals.

STANDARD 7: FACILITIES

7.1 Facilities refer to classrooms, laboratories, and any other physical areas used for instruction. Areas must be adequate in number and size and must allow for quality instruction to support the program and to meet the needs of students.

- 7.1.1 Classrooms and laboratories must have adequate light and ventilation. They must be cleaned and furnished with adequate equipment and supplies for carrying out instruction.
- 7.1.2 The laboratories must have sufficient equipment and supplies for students to work in small groups or individually. Sufficient equipment and supplies must be available to carry out all research and instruction mentioned in program and institution's publications. The equipment must be current with funeral service practice.
- 7.1.3 All instructional facilities on or off-campus must meet federal, state, provincial/territorial, and local regulations.
- 7.1.4 Each program must maintain an on-campus embalming/preparation space either fully functional or for demonstration purposes. The embalming space must be of sufficient size to accommodate at least one preparation table. It must have an electric embalming machine, instruments, and real or simulated chemicals. In the case of a demonstration lab, it must adequately reflect an actual functional embalming facility.

7.2 The following is for off-campus instructional sites: Whenever students receive program credit for work carried out off the main campus, the following facilities requirements must be in effect:

- 7.2.1 The funeral home where students receive credit must be licensed by the appropriate authorities;
- 7.2.2 Off-campus instruction must take place in locations which offer adequate learning space for students. In the case of instruction in embalming, the facility must be of sufficient size to allow for satisfactory participation by each student.
- 7.2.3 The program must have written affiliation agreements with each off-campus instructional site. These agreements must be comprehensive specifying the responsibilities of the institution and the site. They must include responsibilities relative to supervision and instruction of students and liability. Personnel at the instructional site may be given adjunct faculty appointments by the institution. The agreements must include a stated process for interrupting the clinical experience and dismissal of a student from clinical experience and a clear definition of what is to be expected of the preceptor and what is provided by the program.

STANDARD 8: LIBRARY / LEARNING RESOURCES

8.1 Learning resources, including computer resources, collections of books, periodicals, and reference materials must be both sufficient in scope and readily accessible to students to provide adequate support to the Funeral Service Education curriculum as described in institutional and program publications.

8.2 Computer resources include computer assisted instruction materials as well as access to internet resources. The learning resources program should provide access to external computer databases.

8.3 To the extent quality and availability affect program outcomes, learning resources must be accessible to students outside of regular classroom hours. The program must require student utilization of these resources as described in institutional and program publications.

- 8.3.1 A written acquisition policy relevant to funeral service education must be in place and the program director and faculty must be involved with the annual acquisitions related to this program.
- 8.3.2 Sufficient space must be devoted to learning resources to provide for the needs of students in funeral service and must be accessible during reasonable hours and administered by qualified staff.
- 8.3.3 Learning resources must be catalogued according to a recognized standard method.

8.4 There must be in place an orientation for students regarding use of the learning resources available on campus including use of the Internet, how to access course materials and how to get help.

GUIDANCE for DISTANCE EDUCATION (see Appendix E fo details)

Institutions with one or more program courses available through distance education must demonstrate how the institution provides effective learning resources to support students enrolled in distance education offerings.

STANDARD 9: STUDENTS

9.1 Ethical Practices:

9.1.1 A program must adopt and enforce ethical practices recognized in higher education in all student-related matters. These practices include, but are not limited to:

9.1.1.a presentation of clear and accurate information about the program;

9.1.1.b student rights, responsibilities and processes;

9.1.1.c program requirements;

9.1.1.d a statement regarding program adherence to ethical practices in student-related matters must be published in program informational materials;

9.1.1.e all faculty and staff must be informed about ethical practices in student matters.

9.1.2 All student policies and regulations must be equally applied to all students.

9.2 Admissions:

9.2.1 Admissions requirements must be publicly stated in institutional publications including the catalog and must be administered as published.

9.2.2 The minimum educational requirement for admission to a program is:

9.2.2.a graduation from an accredited four-year high school or its recognized equivalent, or

9.2.2.b a minimum of nine (9) semester hours (or the equivalent) of post-secondary coursework exclusive of developmental courses from a regionally accredited institution and a minimum 2.0 grade point average.

9.2.3 A student shall not be enrolled in a program until evidence is supplied that Standard 9.2 has been satisfied. Such evidence must be:

9.2.3.a Transcript of high school or college work, received directly from the institution from which the credits were received. If a program accepts electronic transcripts, a system must be in place to verify that such transmissions are secure and an accurate representation of student credits and grades, or

9.2.3.b Evidence that the applicant has a recognized credential equivalent to the high school diploma. A credential must be certified by an authorized official of a recognized high school, the state department of education or its equivalent, or

9.2.3.c Evidence that the applicant has fulfilled the requirements of state law for recognition of high school completion or its equivalent in the jurisdiction where the student resided at the time of completion.

9.2.3.d In the case of applicants from outside the United States, a statement from a recognized education authority certifying that the applicant has completed formal educational requirements at least equivalent to high school graduation in the United States.

9.2.3.e In the case of applicants from outside the United States, a statement from a recognized education authority certifying that the applicant has completed formal educational requirements at least equivalent to high school graduation in the United States.

9.2.4 Transfer credit policies must be published and available to students and the public. these policies must include the criteria for the transfer of credit earned at another institution of higher education.

9.2.5 If credit for prior learning is offered:

9.2.5.a Policies for obtaining credit for prior learning must be clearly stated in the program's catalog and informational materials.

9.2.5.b No more than 20% of the total number of credits for the program may be awarded through credit for prior learning. All of the curriculum requirements contained in Standard 5 are incorporated in awarding credit for prior learning. A substantive change application must be submitted and approved by COA before the program initially offers credit for prior learning.

9.2.5.c Credit earned for prior learning must be documented, evaluated, and appropriate for the level of degree awarded. The evaluation must be carried out by persons academically qualified to make the necessary judgments.

9.2.5.d Achievement of student learning outcomes must be measured for courses in which credit for prior learning is offered. Methods to determine achievement of outcomes may include standardized tests, prior learning portfolios, technical skill demonstrations, and written or oral exams.

9.3 Attendance, Progress, Graduation:

9.3.1 Orientation must be offered to students prior to the start of coursework. Orientation may take place in-person or be delivered online and, at a minimum, must cover safety, student policies, facilities and student service.

9.3.2 Policies regarding grading, academic progress, attendance and graduation must be clearly stated and provided to students in writing before starting coursework.

9.3.3 Graduation must include a certification that all program and college requirements have been met.

9.4 Student Health and Safety:

9.4.1 A program must have written policies and procedures ensuring safety of its students.

9.4.2 A program must have health services information available to students.

9.5 Guidance and Student Involvement:

9.5.1 Students must have access to services for personal and academic matters. Services must address academic difficulty, veterans affairs, academic advising, conduct, licensure and employment information and personal issues.

9.5.2 Opportunities must exist for student involvement in program governance.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions with 50% or more of their program requirements delivered through distance education must:

- demonstrate how recruitment and admission practices related to distance education are appropriate to the institution's *and Funeral Service Program's* mission and purposes;
- provide effective student and academic services to support students enrolled in distance education offerings.

Institutions with one or more program courses available through distance education must demonstrate how the institution provides effective academic and student support services to students enrolled in distance education offerings, and how the institution assures the integrity of its distance education offerings.

STANDARD 10: PROGRAM PLANNING AND EVALUATION / ASSESSMENT

10.1 Each program must have a continuous system of planning and assessment in place to measure its effectiveness and to implement necessary improvements.

10.1.1 Each program must have a documented plan which incorporates guidelines, procedures, and methodologies of planning and assessment. The plan must:

10.1.1.a assess the program's learning outcomes.

10.1.1.b be in writing and approved by the appropriate administrative authority.

10.1.1.c contain provisions for periodic review and revision.

10.1.2 Each program must establish a comprehensive, ongoing system of planning and assessment that ensures instructional quality and documents student outcomes. The assessment plan and system must include:

10.1.2.a Provisions for collecting, maintaining, and analyzing data since the last comprehensive review.

10.1.2.b Methods for continuous feedback from students, faculty, and other constituents.

10.1.2.c Regularly scheduled student evaluations of courses and faculty;

10.1.2.d Regularly scheduled supervisory evaluation of faculty and program administrators;

10.1.2.e Results of annual surveys of graduates and employers to include satisfaction with instructional quality, preparation for employment, and expectations of employment;

10.1.2.f Methods used to measure the attainment of expected instructional outcomes; and

10.1.2.g Documentation of how the assessment efforts are used to improve instructional and program quality.

10.2 If the program has been evaluated previously by ABFSE, the program must document actions since the last review to correct any deficiencies that may have been cited in reference to the Standards.

10.3 Since the last comprehensive review, the program must maintain, calculate, and explain how it has utilized the following data for planning and assessment purposes:

10.3.1 Pass Rates on the National Board Examination (NBE): Accredited programs must report statistics for both the "Arts" and "Sciences" sections of the National Board Examination on the Annual Report.

10.3.2 Graduation rates: New Enrollees will be reported as a cohort when they enter the accredited program and tracked to graduation.
When students complete 50% or more of the degree program they will be tracked to graduation for calculation of the timely graduation rate. From this point, completion in 150% of program length will be considered timely graduation.

10.3.3 Employment rates: Graduate employment data must be provided on the Annual Report. Job placement is to be calculated within six months of each student's graduation. A survey done at graduation will be accepted as 'within 6 months.' Students for whom no data is available will be considered not employed. Funeral service-related employment, active military duty, or enrollment in further higher education count as employment for this calculation.

10.3.4 Graduation, employment and NBE pass rates must be separately calculated for students who take 50% or more of their courses through Distance Education. The rates for traditional and distance education students will be considered both combined and separately in accreditation actions.

10.4 Programs must maintain at least a 60% three (3) year average pass rate for first-time takers of the Arts and Sciences sections of the NBE.

10.4.1 A program with a single year NBE pass rate below 60% on either or both sections of the NBE receives a warning, is subject to additional monitoring and must submit a report to the Committee on Accreditation by March 1 of the following year. The report must analyze the reason(s) for the substandard pass rate and detail plans for improvement.
Failure to submit a satisfactory report may lead to negative accreditation action.
An institution with sporadic rates will be reviewed and may be subject to comparable reporting action as identified above.

10.4.2 Three-year average NBE pass rates below 60% will result in the following action:

10.4.2.a first year: Probation.

10.4.2.b second consecutive year: Accreditation is withdrawn unless good cause is shown to continue accreditation. (Show Cause)

10.5 Programs must maintain at least a 60% 3-year average graduation rate.

10.5.1 A program with a single year graduation rate below 60% receives a warning, is subject to additional monitoring and must submit a report to the Committee on Accreditation by March 1 of the

following year. The report must analyze the reason(s) for the substandard graduation rate and detail plans for improvement

An institution with sporadic graduation rates will be reviewed and may be subject to comparable reporting action as identified above.

10.5.2 Three-year average graduation rates below 60% will result in the following action:

10.5.2.a first year: Probation.

10.5.2.b second consecutive year: Accreditation is withdrawn unless good cause is shown to continue accreditation. (Show Cause)

10.6 Programs must maintain at least a 60% 3-year average employment rate.

10.6.1 A program with a single year employment rate below 60% receives a warning, is subject to additional monitoring and must submit a report to the Committee on Accreditation by March 1 of the following year. The report must analyze the reason(s) for the substandard employment rate and detail plans for improvement

An institution with sporadic employment rates will be reviewed and may be subject to comparable reporting action as identified above.

10.6.2 Three-year average employment rates below 60% will result in the following action:

10.6.2.a first year: Probation.

10.6.2.b second consecutive year: Accreditation is withdrawn unless good cause is shown to continue accreditation. (Show Cause)

10.7 Substandard rates for two or more outcome metrics in the same year (graduation, employment and NBE pass rates) will result in the following action:

10.7.1 first year: Probation

10.7.2 second consecutive year: Accreditation is withdrawn unless good cause is shown to continue accreditation (Show Cause).

10.8 The pass rate of first-time takers on the National Board Examination (NBE), and program employment rates and graduation rates for the most recent three (3) year periods will be posted in the Directory of Accredited Programs on the ABFSE website.

10.8.1 So that the public and prospective students can easily access these statistics, programs must maintain up to date rate information provided by the ABFSE on the program website.

10.8.2 The following statement must also appear in the institution's catalog: "National Board Examination pass rates, graduation rates, and employment rates for this and other ABFSE-accredited programs are available at www.abfse.org in the Directory of Accredited Programs.

10.8.3 Accredited programs in which students take 50% or more of their courses via distance education must also post NBE pass rates, graduation rates and employment rates for this modality – effective for 2020 calendar year data.

10.8.4 Institutions failing to comply with this requirement will be placed on probation immediately. Continued non-compliance may lead to the removal of accreditation.

GUIDANCE for DISTANCE EDUCATION (see Appendix E for details)

Institutions with one or more program courses available through distance education must demonstrate how the institution's *and Funeral Service Program's* plans for developing, sustaining, and, if appropriate, expanding distance education offerings are integrated into its regular planning and evaluation processes and its system of governance and academic oversight;

Institutions with 50% or more of their program *offered via distance* must demonstrate how the institution *and the Funeral Service Program* evaluates the effectiveness of its distance education offerings, including the extent to which the distance education goals are achieved, and how the results of its evaluations are used to enhance the attainment of the goals.

STANDARD 11: DEFAULT RATES IN THE STUDENT LOAN PROGRAMS UNDER TITLE IV and COMPLIANCE WITH TITLE IV PROGRAM RESPONSIBILITIES

(Only single-purpose, non-regionally accredited, funeral service institutions which participate in Title IV Higher Education Act programs must respond)

11.1 Single purpose institutions for which the ABFSE serves as "gatekeeper" must also demonstrate compliance with all obligations under Title IV, including results of compliance audits and program reviews. (See Appendix F)

11.2 Recognizing the primary role of financial aid auditors to ensure compliance with Title IV, COA will limit their review under this standard to the following:

- 11.2.1 Examination of the most recent three years of financial aid, including any audit exceptions.
- 11.2.2 Default Rates for the Title IV Student Loan Program for the years since the last accreditation review, as reported to the college by the US Department of Education.
  - 11.2.2.a For institutions in which most recent rates are above the federal guidelines, plans to bring rates into compliance must be reported to the ABFSE office.
- 11.2.3 The most recent financial aid audit and default rate info (as indicated in 11.2.1 and 11.2.2) will be attached to the Annual Report each year to be reviewed by a sub-committee of the COA.

11.3 Any adverse communications relative to Title IV eligibility must be reported to the ABFSE office in a timely manner (within 30 days of receipt).

- 11.3.1 Non-compliance with title IV obligations will be considered in ABFSE accreditation decisions.

STANDARD 12: PROGRAM LENGTH, TUITION, AND FEES MUST RELATE TO SUBJECT MATTER

(Only single-purpose, non-regionally accredited, funeral service institutions, which participate in Title IV Higher Education Act programs, must respond)

12.1 The Institution must demonstrate that the subject matter taught relates reasonably to tuition and fees charged and to length of the program. Documentation must include length of program(s) and the number of hours and the corresponding tuition and fees for each program.

STANDARD 13: PROGRAM LENGTH IN CREDIT HOURS

(Only single-purpose, non-regionally accredited, funeral service institutions, which participate in Title IV Higher Education Act programs, must respond)

13.1 The Institution must demonstrate that its program is defined in standard credit hour terms, either semester hour or quarter hour following the current Department of Education definition of credit hours.

- 13.1.1 The Federal Definition of Credit Hour is found in 34 CFR 600.2 and 34 CFR 668.8(k) and (l); see also DCL ID: GEN-11-06: Credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than:
  - One hour of classroom or direct faculty instruction and a minimum of two hours of out of class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time; or
  - At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.
- 13.1.2 Institution must provide evidence of how credit hours are measured/calculated and how the program's hours are distributed by term. This should be done for on campus as well as distance education programs.

CHAPTER X

POLICIES

A. GENERAL POLICIES

Funeral service practitioners are licensed because funeral service involves significant considerations of public health, both as it relates to the proper disposition of human remains and to the counseling of bereaved persons. Accordingly, programs of education relating thereto must maintain as high a standard of excellence as possible in the light of existing knowledge.

The American Board encourages each program to develop and implement experimental programs designed to expand and improve the professional education of its students.

The American Board will, upon request, make available to individual institutions an educational consultant to advise in matters pertaining to Standards for Accreditation. This service, a significant and growing phase of the American Board's program, provides a medium for the exchange of productive ideas and experience. The expenses incurred shall be paid by the requesting program.

B. DISCLOSURE AND CONFIDENTIALITY

It is the obligation of every program applying for candidacy, extension of candidacy, accreditation, annual renewal, or continuing accreditation to provide the Committee on Accreditation access to all parts of its operations with due regard for the rights of individual privacy and with complete and accurate information with respect to the institution's affairs, including reports from other accrediting, licensing, and auditing agencies. Failure to do so, or to make complete, accurate, and honest disclosure, is sufficient reason in and of itself to deny or revoke candidacy or accreditation.

The Committee on Accreditation will maintain inviolate the confidentiality of information supplied by the program except in those cases where it is deemed necessary by the American Board to make public information which forms a substantive basis for the committee's decision.

The American Board will announce publicly, as appropriate, through its Executive Director, the fact an institution's program's

1. candidacy or accreditation has been approved;

2. candidacy has not been extended or its accreditation renewed;

3. candidacy has not been renewed or its accreditation has been terminated;

4. has been placed on probation and the reasons therefore;

5. has been given a show cause order effective at a specific date and the reasons therefore;

6. application for candidacy or accreditation has been denied.

If a program so conducts its affairs that it becomes a matter of public concern, the American Board may announce, through its Executive Director, any action the Committee on Accreditation has taken and the basis for that action, making public any pertinent information available to the Committee.

C. CONFLICT OF INTEREST: Real as well as perceived conflicts will be avoided.

1. Selection of Site Visitors:

a. No individual who has served as consultant to a program may serve as a site visitor to that program.

b. No personnel from programs potentially in direct competition with the program being evaluated may serve on the visiting committee.

c. No recent (within 5 years) graduate nor recent faculty member (within 5 years) of the program being evaluated may serve on the site visiting committee.

d. No faculty members or practitioners from within the same state in which the evaluated program is located may serve on the visiting committee.

e. No faculty member from within institutions in the same systems as the program being evaluated may serve on the visiting committee.

f. Except for focused visits, no member of the Committee on Accreditation or the ABFSE chairperson may serve on the visiting committee.

2. Site Visit Behavior: Site visitors are prohibited from using the site visit as either an employment opportunity for themselves or to hire faculty away from the program being evaluated.

3. Voting by Committee on Accreditation Members: Members must abstain from voting and from the discussion if they have a real or perceived Conflict of Interest. Committee members from within the state of the program being evaluated may not make motions, participate in the discussion, or vote concerning that program. Committee members employed by the program being evaluated or any other program within the same educational system must absent themselves during the executive session and voting concerning that program.

4. Persons serving as consultants, administrative staff, or in any other way serving the committee shall avoid real or perceived conflicts of interest and shall follow all policies listed in #1-3 above. Members of the Committee on Accreditation, visiting committees and employees of the ABFSE will be expected to sign a Conflict of Interest statement. (See Appendix G)

D. REFERENCE TO ACCREDITATION STATUS BY A PROGRAM

1. Any reference by a program to accreditation in catalogs, bulletins or other official publications and communication or other media shall read as follows:

"The (name of accredited degree program) at (name of sponsoring institution) is accredited by the American Board of Funeral Service Education (ABFSE), ***992 Mantua Pike, Suite 108, Woodbury Heights, NJ 08097.*** (816) 233-3747. Web: www.abfse.org."

Please note that the reference to accreditation names the specific program accredited by the ABFSE; this requirement is particularly important in those institutions engaged in other areas of instruction which are not accredited by, or eligible for accreditation by, the ABFSE.

Institutions accredited by ABFSE (for Title IV eligibility) will use the following accreditation statement:

"(Name of sponsoring institution) and the (name of accredited degree program) are accredited by the American Board of Funeral Service Education (ABFSE), ***992 Mantua Pike, Suite 108, Woodbury Heights, NJ 08097.*** (816) 233-3747. Web: www.abfse.org."

2. ABFSE accredited institutions/departments which choose to offer, in addition to accredited programs, unaccreditable programs, must comply with the following procedures:

a. Publications describing the unaccreditable program must contain the following information: "This academic program is designed to meet specific state or professional needs. It is not accredited by the American Board of Funeral Service Education. Students graduating from this program are not eligible to take the National Board Examination or any state board examination for which graduation from an ABFSE accredited program is required."

b. The academic transcript for graduates of unaccreditable programs must carry the following information: "This academic program is designed to meet specific state or professional needs. It is not accredited by the American Board of Funeral Service Education. Students graduating from this program are not eligible to take the National Board Examination or any state board examination for which graduation from an ABFSE accredited program is required."

E. PROTECTION OF STUDENTS: Students matriculated in an accredited program which loses its accreditation status prior to their graduation are still considered graduates of an accredited program.

F. REVISIONS OF THE ACCREDITATION AND POLICY MANUAL AND STANDARDS: Recognizing that the funeral service profession is continuously evolving, periodic review of ABFSE policies, procedures, and Accreditation Standards is an on-going process.

1. The Committee on Accreditation (COA) is responsible for all policies related to Accreditation, including Standards, accreditation process, accreditation procedures, accreditation policies, and granting or taking other actions regarding Candidacy and Accreditation.

2. Although it may review them at any time, the Committee on Accreditation will review the Standards of Accreditation at least once every five (5) years. Standards are constantly monitored using information provided from the indices listed in #6 below. If the COA determines at any point during its systematic program of review that it needs to make changes to its Standards, the Committee will initiate action within 12 months and make the changes within a reasonable period of time (normally six months). The formal review of the Standards every five (5) years will follow the process outlined in Appendix H of the Manual.

3. For any changes in the Standards of Accreditation or other policies or procedures related to accreditation (including but not limited to the formal five-year review), the COA will provide advance notice to allow interested parties opportunity to comment on the proposed changes prior to their adoption. To ensure opportunity for broad input, the process to ensure broad review will follow the guidelines in items 3, 4, and 5 of Appendix H of the Manual.

4. Other, non-accreditation, ABFSE policies are to be voted upon by the board and must be submitted to all members at least 30 days prior to the meeting at which the proposal will be considered. Submission will be in the form of a Notice of Motion.

5. The Notice of Motion proposing a change to any non-accreditation policy shall require two thirds vote of members present at an official meeting of the ABFSE and, if passed, shall become effective upon passage unless otherwise directed by the board.

6. The Committee on Accreditation uses several indices to ensure that the Standards of Accreditation are valid, current, consistent, and relevant indicators of the quality of the education needed for entry into the funeral service profession. Among the indices used are

a. annual reports from each program providing information on demographics, attrition, and program changes;

b. surveys of graduates to identify satisfaction and relevance of their academic preparation and success in the field;

c. on-going liaison with the Curriculum Committee which insures that the required curricula include all areas tested by the National Board Examination, which, itself, is based on task analyses provided by practitioners in the field;

d. surveys of graduating students to identify their expectations of wages, benefits, and working conditions in the first licensed position. These expectations are compared with actual job conditions, wages, and benefits identified by surveying employers; and

e. Introspective analysis by the Committee (to insure its application of Standards is consistent. The Committee on Accreditation periodically splits itself into two groups which are required to agree on decisions independently as it reviews Standards and processes.)

G. WAIVER AUTHORITY: The Committee on Accreditation may waive policies related to accreditation as contained in this manual when, in its opinion, unusual or compelling reasons supporting such waiver exist.

H. PUBLICATION OF INACCURATE INFORMATION: In the event a program accredited by the ABFSE, or its sponsoring institution, publishes or otherwise disseminates information that misrepresents or distorts action taken by the Committee on Accreditation with respect to the accreditation process or status of the program, the following will occur:

The administrative officer of the sponsoring institution and the director of the funeral service program will be notified in writing of the misrepresentation or distortion and will be asked to take corrective action in writing regarding the misrepresentation or distortion.

Should the sponsoring institution and/or the funeral service program fail to take prompt corrective action, the Committee on Accreditation may publish a statement providing correct information to appropriate publics which will appear in the ABFSE website and in whatever other forms deemed appropriate by the Committee.

I. BRANCH CAMPUS PROGRAMS: If an accredited funeral service institution intends to establish a branch campus, it is required to submit a business plan for the proposed branch in the form of a Self study.

1. As defined by the Department of Education's Criterion 602.24a, a Branch Campus is a location of an institution or program that is geographically apart and independent of the main campus of the institution or program. Such a location is permanent in nature, offers courses in educational programs leading to a degree, certificate, or other recognized educational credential, has its own faculty and administrative or supervisory organization, and has its own budgetary and hiring authority.

   The COA will consider as a "branch campus" for purposes of this and all other Standards any off-campus location of the program at which at least 50% of the educational program is offered. Each branch campus (or other location as noted herein) must meet all ABFSE/COA Standards of Accreditation as if it were a separate campus in and of itself.

   See also the discussion above in Section I of Chapter VIII.

2. Institutions planning to establish a new Branch Campus must

   a. submit a complete Self study for the Branch campus, following all required ABFSE guidelines;

   b. within six months of the establishment of a Branch Campus program host a visiting committee. Cost of the visit is to be borne by the institution.

3. Once accreditation has been extended, each Branch Campus will be visited as an integral part of each accreditation comprehensive visitation and each must be included in all ABFSE Standards of Accreditation in the Self study.

J. TEACH-OUT PLANS AND AGREEMENTS

1. The COA requires that an institution it accredits or grants candidacy to submit a teach-out plan to the COA for approval upon the occurrence of any of the following events:

   (i) The United States Department of Education's Secretary notifies the COA that the Secretary has initiated an emergency action against an institution, in accordance with Section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an institution participating in any Title IV, HEA program, in accordance with Section 487(c)(1)(F) of the HEA, and that a teach-out plan is required.

   (ii) The COA acts to withdraw, terminate, or suspend the accreditation or candidacy status of the institution.

   (iii) The institution notifies the COA that it intends to cease operations entirely or close a location that provides one hundred percent of at least one program.

   (iv) A state licensing or authorizing agency notifies the COA that an institution's license or legal authorization to provide an educational program has been or will be revoked.

2. The COA will evaluate the teach-out plan to ensure it provides for the equitable treatment of students under criteria indicated in this section, specifies additional charges, if any, and provides for notification to the students of any additional charges.

   The COA requires that an institution it accredits or has granted candidacy to, which enters into a teach-out agreement either on its own or at the request of the COA must submit that teach-out agreement to the COA for approval. The COA may approve the teach-out agreement only if the agreement is between institutions that are accredited or have candidacy status (i.e., preaccredited) by a nationally recognized accrediting agency, is consistent with applicable standards and regulations, and provides for the equitable treatment of students by ensuring that--

   (i) The teach-out institution has the necessary experience, resources, and support services to

      (A) Provide an educational program that is of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations; and

      (B) Remain stable, carry out its mission, and meet all obligations to existing students; and

   (ii) The teach-out institution demonstrates that it can provide students access to the program and services without requiring them to move or travel substantial distances and that it will provide students with information about additional charges, if any.

   Closed Institutions. If an institution the COA accredits or has granted candidacy to closes without a teach-out plan or agreement, the COA will work with the United States Department of Education and the appropriate State agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charge.

   Finally, the COA may require that an institution it accredits or has granted candidacy to enter into a teach-out agreement as part of its teach-out plan. Whether such a requirement is put in force will be determined on a case by case basis with due consideration to practicality, cost, feasibility, and likely effectiveness of such a plan.

K. CONTINUITY OF OPERATIONS

The ABFSE realizes that continuity of operations in the event of incapacitation of the Executive Director is vital. In order to provide such continuity, it has an agreement with an individual who is trained in all ABFSE operations.

This individual is prepared to take over temporarily in the event of the incapacitation of the Executive Director. This individual would assume all duties of the Executive Director if such became necessary; would immediately take over all operations of the ABFSE office to insure total continuity of operations; would be titled Interim Executive Director; and would serve in this capacity until a permanent successor is identified by the ABFSE.

L. FILE MAINTENANCE: For each accredited program the ABFSE office shall maintain on file at least the last two full accreditation and/or pre-accreditation reviews. This shall include the last two committee reports, periodic review reports, if any, institutional responses to reports, special reviews, if any, responses to stipulations, if any, and committee final actions. The file shall also contain the most recent Self study report. In addition, the written record of all decisions made throughout an institution's or program's affiliation with the COA regarding its candidacy, accreditation, and any substantive changes -- including all correspondence that is significantly related to those decisions – will be maintained in the ABFSE office. ABFSE Document Retention and Destruction Policy is found in Appendix L.

M. COLLECTION OF DEFAULT RATES: Accredited institutions for which the ABFSE serves as primary accreditor (single purpose, stand alone, non-regionally accredited funeral service colleges) must submit, along with the annual report, default rate for USDE Title IV programs. The committee will take appropriate action thereupon at their next scheduled meeting or at a special meeting if the default rates warrant immediate action.

N. COMPLAINTS ABOUT THE COMMITTEE ON ACCREDITATION: When a written complaint is filed with the ABFSE office or the COA related to the Standards or procedures, the following actions will be taken:

1. the complainant will be notified within 10 days of receipt of the complaint and the fact that the COA will review the complaint and respond to complainant within 30 days;

2. the COA will meet to review the complaint within 30 days of the acknowledgement to complainant;

3. after the committee meeting the complainant will be notified of the result(s) and will also be notified of the opportunity for appeal or further input to the committee, as appropriate. This notice to complainant will be sent within 10 days after the committee meeting at which the complaint was discussed;

4. if the complaint is unable to be resolved in a manner considered satisfactory by the complainant, complainant may appeal the committee action to the ABFSE Executive Committee for independent review. Complainant has 30 days from receipt of the committee's decision to file this appeal;

5. upon receipt of such appeal, complainant will be notified that the ABFSE Executive Committee will review the committee's decision and respond to the appeal within 30 days;

6. the Executive Committee will prepare a report and recommendation to the Committee on Accreditation for its consideration. A copy will be provided to the complainant;

7. the COA will meet to review the report and recommendation of the Executive Committee within 30 days of the receipt of the report and to make a final decision on the complaint; and

8. the decision of the ABFSE Committee on Accreditation is final.

O. DIRECTORY OF OFFICERS AND COMMITTEES. The Directory of Officers and Committees will include the following information about each officer listed:

1. Full name
2. Academic qualifications
3. Professional qualifications
4. Employment affiliation
5. Organizational affiliations

The Directory of Committees will include:

1. Full Name
2. Employment or Association affiliation
3. Contact info with email

P. PROCESS FOR APPOINTING MEMBERS TO THE COMMITTEE ON ACCREDITATION
Also see APPENDIX B

When the term of any member of the Committee on Accreditation is set to expire, the Executive Director will notify the appropriate constituency of the pending vacancy 12 months in advance

1a. Educators Representing Public and Private Institutions: The Executive Director will send a notice to all accredited institutions and programs when an educator seat on the Committee on Accreditation will be or is vacant. The notice will specify whether the position was filled by a representative from a private or public institution. The College and University Council will nominate three (3) qualified individuals for each open seat on the Committee on Accreditation. Consistent with Section A2 of Article VI of the By-laws, the COA shall select the new member(s) from the applications or nominees submitted to it by the College and University Council for applicable private/public seat. In making their selection the COA will strive to maintain the traditional balance of membership with three (3) individuals representing programs in the public institutions and three (3) representing the private, single purpose institutions. Individuals selected by the COA to serve as one of the Educator members of the committee must be full-time funeral service faculty or administrators at an ABFSE accredited institution/program, possess a minimum of a master's degree, be credentialed as a Funeral Director in their state of employment, have completed the Self study/Accreditation Workshop, sign the ABFSE/COA Conflict of Interest Statement (see Appendix G of the Manual), and have at least three years experience in funeral service education at an ABFSE accredited education institution or program. See application form in Appendix B.

1b. Educators Representing the College and University Council: In the event it becomes necessary to seat one or more representatives from the College and University Council as required by Section A of Article VI of the By-Laws, a notice will be sent to members of the College and University Council soliciting three or more nominations from that group for membership on the COA. Member qualifications are cited in 1a. above. The COA will elect from the list of those nominated. Following that election as future vacancies occur in the College and University representative, the COA will advise that group 12 months prior to a vacancy occurring and solicit nominations in the manner noted elsewhere in Section P. See application form in Appendix B.

2. Member Associations A notice will be sent to the appropriate association requesting that the association nominate three qualified individuals to be considered for appointment. The nominees from each member association may not include its chief executive officer or any sitting members of its board (whether elected or non-elected). Nominees must be selected by a vote of the membership, and not by the board or chief executive officer. When each association receives the invitation to nominate candidates, it will be provided with instructions on how to document its nomination and election procedures. The COA may choose from the list of nominees or it may request that additional names be submitted. The appointment of an association representative to the COA is the sole responsibility of the Committee on Accreditation.

   Individuals selected by the COA to serve as Professional members of the committee must be licensed as funeral service practitioners or funeral service regulators at the time of their appointment, be actively involved in the profession, sign the ABFSE/COA Conflict of Interest Statement (see Appendix G of the Manual), be members in good standing of their respective national and/or state professional associations, and complete the Self study/Accreditation Workshop within six months of their first meeting.

3. Public. A notice will be sent to accredited programs, the associations, and appropriate funeral service organizations requesting that they publish the request for nomination of individuals to serve as public members. The notice will indicate that the public member must be from outside the field of funeral service

or funeral service education. (See Appendix B-7) The appointment of a public member to the COA is the sole responsibility of the Committee on Accreditation. Individuals selected by the COA to serve as Public members of the committee must sign the ABFSE/COA Conflict of Interest Statement (see Appendix G of the Manual), complete the Self study/Accreditation Workshop within six months of their first meeting, and meet the 'public member' definition appearing in Article VI of the by-laws and Chapter III of the Manual on Accreditation

At least 25% (of which includes one Educator and one Public Member) of the voting members of the COA must demonstrate significant experience in Distance Learning at the supervisory, developmental, or practitioner level.

Q. CURRICULUM OUTLINES

1. The following statement shall appear at the bottom of each page of the Curriculum Outlines: "This outline and glossary may not be reproduced without the express written permission of ABFSE."

2. Member schools are authorized to distribute glossaries to their students.

3. Member schools agree that

   a. The outline is available to ABFSE accredited member institutions and approved candidates for educational purposes only.

   b. The Executive Committee of ABFSE, at its discretion, has the authority to distribute these documents, as it considers appropriate, to ABFSE affiliated members and other member organizations only.

4. The following policies apply to the use and distribution of curriculum outlines:

   a. Glossaries (but not Outlines) may be reproduced and distributed to students.

   b. Outlines are not to be reproduced or distributed to anyone other than funeral service or related faculty.

   c. Outlines may not be posted to public access media (e.g., the www) unless password protected.

   d. Outlines and glossaries are not to be duplicated for sale in any form without the written permission of ABFSE.

5. Use of ABFSE curriculum outlines and glossary.

   a. The curriculum outlines and glossary of the ABFSE are viewed as intellectual property of the ABFSE. ABFSE holds copyright for the Outlines and accompanying glossaries. Duplication of glossaries in textbooks must be approved by ABFSE.

   b. In lieu of royalties for use of the ABFSE outlines and glossaries the following will apply:

Duplication of glossary and use of outline as basis for a textbook applicable for life of outline (until next revision)	$1000
Access to all outlines/glossaries for use in textbooks on continuous basis	$1500/year
Purchase of complete set of curriculum outlines (hard copy)	$10,000

Purchase of outlines by interested schools/programs (including candidate schools) does not authorize use or distribution for textbooks and is subject to the policy cited above.

R. EXECUTIVE DIRECTOR EVALUATION

1. A detailed, written annual evaluation of the Executive Director is the responsibility of the Chair of the COA and the ABFSE President.

2. The Executive Director prepares a self-evaluation in February each year which is sent to the COA chair and the President. The self-evaluation will include a discussion of the following: an overall assessment of the accomplishments for the year based on the list of responsibilities of the Executive Director; a list of those areas that merited special attention; areas that may need special attention; and goals for the next year.

3. The Executive Director, the COA chair, and the President will discuss the self-evaluation and any other issues that they may wish to consider.

4. The COA chair and the ABFSE President shall prepare a written evaluation of the Executive Director based on the Executive Director's work with the COA and with the ABFSE in its entirety. The COA chair and President shall solicit input from ABFSE Committee chairs, Executive Committee members, and others. The written evaluation includes a discussion of strengths, areas needing more attention, and recommendations for renewal of appointment (if that is the decision) and also for an appropriate salary increase. Also included in the evaluation are any suggestions for improvement that might be thought beneficial to ABFSE, the COA, and the Executive Director. The Executive Director has an opportunity to review the written evaluation and discuss it with the COA chair and President before it is finalized.

5. The evaluation of the Executive Director is put on the agenda of the Committee on Accreditation for its April meeting. ABFSE officers shall be invited to the COA meeting for the agenda item. The ABFSE President and officers shall not be present during regular Committee on Accreditation matters prior to the Executive Director evaluation agenda item and shall be excused from the meeting once the agenda item is concluded. A copy of the Executive Director's self-evaluation as well as the written evaluation by the chair of the COA and President is included as supporting material for that agenda item. At the meeting, the Executive Director is invited to make a brief presentation to the Committee on Accreditation and then the COA chair and President make a presentation, including their recommendations.

6. Members of the Committee on Accreditation and ABFSE officers are invited to ask questions of the Executive Director, the Chair of the COA, and/or the President.

7. Following full discussion, the Committee on Accreditation and the ABFSE officers votes on the recommendations of the COA chair and President, including any amendments to the motion. Each member of the Committee on Accreditation receives one vote and each ABFSE officer received one vote. At no time shall the ABFSE officers have more votes than the total combined votes of the members of the Committee on Accreditation.

8. The action of the Committee on Accreditation and the ABFSE Officers is reported to the full membership at the annual meeting for their information.

S. USE OF ABFSE LOGO

1. The logo created by ABFSE to create brand recognition is for the express use of ABFSE only.

2. In the event an accredited program/institution desires a visual demonstration of accreditation status, the use of the logo in college publications may be authorized with written consent of the Executive Director.

3. Written requests to use the ABFSE logo must designate the name of the school/program as recognized by the ABFSE, the purpose for which the logo will be used and the anticipated length of time the logo will be used.

4. Use of the ABFSE logo in connection with an unaccredited program, including a program in Candidacy, is strictly prohibited.

T. ABFSE BANKING/INVESTMENT POLICY

1. ABFSE funds shall be held in FDIC insured banking institutions with attention paid to limits on total deposits per institution.

2. Appropriate balances are to be held in operating accounts. Excess funds should be transferred to money market (or equivalent) accounts where practical.

3. Where possible, Certificates of Deposit (or similar instruments) shall be utilized.

4. Accounts designated via audit as "Donor Restricted" accounts will be designated on the Budget report to the Executive Committee (example: Scholarship funds).

U. ACKNOWLEDGEMENT OF ILLNESS AND DEATH POLICY

1. When the ABFSE office is notified of the illness of an ABFSE member, a Get Well card will be mailed as soon as possible.

2. ABFSE will acknowledge the death of a member, spouse, child, or parents of members with an email notification to the ABFSE community, sympathy card and flowers or a donation to either the memorial chosen by the family or to the ABFSE Scholarship Fund ($100)

3. The same policy will apply for members of the ABFSE Executive Committee, Committee on Accreditation, ABFSE staff and past officers of ABFSE.

4. Email notification to the ABFSE community and card are authorized for past members of AFSE.

5. An ABFSE representative to attend the funeral is authorized for an ABFSE member. The Executive Director has discretion to make exceptions.

6. ABFSE makes every effort to acknowledge the loss of members (and family) during the Annual Conference "Prayer of Remembrance."

V. ABFSE EXPENSE REIMBURSEMENT POLICY

Individuals authorized to represent ABFSE and COA are eligible for reimbursement of reasonable and necessary travel expenses (i.e., site visits, invited guests/presenters, attendance at COA meetings, etc).

Reimbursement is to include:

1. Transportation, i.e., regular airfare (no 1st class) with bag fees, mileage to/from airport, parking, transfers, rental car when that is best option, and mileage at current IRS approved rate, etc. (when personal auto is mode of travel, mileage reimbursement should be comparable to other modes of travel).

2. Lodging, including local taxes. Early arrival or late departure not related to the event will be the responsibility of the traveler.

3. Meals (alcoholic beverages will not be billed to an institution during site visits without prior approval).

4. Ground transportation to meals and back to the hotel during authorized travel.

5. Gratuities.

W. TRAVEL DISRUPTION POLICY

In the event that travel for site visits, etc. is disrupted, the following will apply to travel reimbursement considerations:

1. When weather and issues outside the control of the traveler intervene, reasonable efforts to re-schedule should be attempted. Re-booking fees will be included in the travel reimbursement request.

2. Should illness prevent a team member from participating in an assignment, COA may approve reasonable expenses and time spent in preparation.

3. Purchase of travel insurance is not recommended unless extenuating circumstances apply. Such occurrences should be reviewed with the Executive Director prior to the purchase of travel insurance, unless this is impossible.

4. Schedule changes made solely to accommodate the traveler are not generally approved for reimbursement, unless such changes positively impact travel expense.

5. Questions and requests for exceptions to these guidelines should be addressed to the Executive Director.

APPENDIX A

GLOSSARY

APPENDIX A

GLOSSARY

1. **Accreditation.** The voluntary submission of an institution to the close scrutiny of this association composed of laity, funeral professionals, and educational representatives for adherence to high standards of educational opportunity for all students.
2. **Accreditation Term.** The period for which accreditation is awarded.
3. **American Board.** American Board of Funeral Service Education (ABFSE).
4. **Bachelor's or Master's Degree.** When required of faculty or administration such degrees shall be awarded by a college or university accredited by an agency recognized by the US Department of Education.
5. **Candidacy.** This is the pre-accreditation status for programs seeking recognition/accreditation by the Committee on Accreditation of ABFSE. (see Chapter IV)
6. **Chairperson of the Evaluation/Site Visit Team.** A non-funeral service educator, experienced in the evaluation of institutions of higher learning, who has been appointed by the COA.
7. **Chief Administrative Officer.** If the curriculum in funeral service education is part of other curricula offered by the college or university, then the chief administrative officer shall be the highest administrative officer of the central administration. In this case, all matters concerning accreditation shall be sent to both the central administration and the department that offers instruction in funeral service education. In a single purpose institution, the chief administrative officer is that person so designated by the institution.
8. **CHEA.** Council for Higher Education Accreditation is a United States organization of degree-granting colleges and universities formed to coordinate the U.S. accreditation process for higher education.
9. **Clinical Instructor.** An individual licensed and employed full or part time to assist in teaching a laboratory or clinical offering under the supervision of the qualified faculty member responsible for the classroom lecture course in which the lab is offered.
10. **Committee on Accreditation.** An autonomous standing committee of the ABFSE with sole authority to grant candidacy, initial accreditation or reaccreditation to institutions of funeral service education. (see By-Laws, Article VI)
11. **Continuous System of Program Planning and Assessment.** A written, well-defined process that produces a documented plan directly related the program's aims and objectives and which contains guidelines, procedures, and methodologies for continually ensuring the on-going educational quality of the instructional program and the attainment of expected student outcomes.
12. **Evaluation Team/Visiting Committee/Site Visit Team.** A committee duly appointed by the COA to visit and evaluate an institution that offers a program of funeral service education.
13. **Executive Director.** The person responsible for the function of the office of the American Board.
14. **Feasibility Study.** A detailed document that demonstrates that a program/institution meets the requirements, has effectively organized resources to enable it to accomplish its educational purpose, and is following realistic plans to acquire, organize, and apply additional resources needed to comply with the Standards for Accreditation. This document becomes the candidacy Self study.
15. **Focus Visit.** A visit by a representative of the Committee on Accreditation, to a program about which the committee has a specific concern. These are solely for the purpose of reviewing the items of Committee concern. Expenses are the responsibility of the program/institution being visited.
16. **Funeral Service Education or Mortuary Science Education.** An educational program designed to prepare professionally an embalmer, funeral director, and/or similarly designated professional.
17. **Initial Accreditation.** Status that applies when a program moves from Candidacy to Accreditation. Maximum
18. **Institution.** A school, college, or university offering a program of funeral service education, whether identified as an academy, a college, an institute, a school, or by similar designations.
19. **IPEDS.** Integrated Postsecondary Education Data System. It is a system of interrelated surveys conducted annually by the U.S. Department' of Education's National Center for Education Statistics (NCES). IPEDS gathers information from every college, university, and technical and vocational institution that participates in the federal student financial aid programs.
20. **Manual.** Accreditation and Policy Manual of the American Board of Funeral Service Education.

21. **National Board Examination (NBE).** The formal certifying examination for the funeral service/mortuary science profession developed and administered by the International Conference of Funeral Service Examining Boards, 1885 Shelby Lane, Fayetteville, Arkansas 72704. (The formal description of the NBE from the ICFSEB's web site at www.afseb.org follows: The purpose of the National Board Examination (NBE) is to provide official licensing agencies with a national evaluation of an applicant for licensure in the diverse areas of competency required for the field of funeral service. The International Conference of Funeral Service Examining Boards develops, administers and provides score reporting services to the state licensure boards. The NBE is used in 49 states [except California] and the District of Columbia as an assessment of content knowledge needed to practice as a licensed Funeral Director or Embalmer.)
22. **Pre-Candidacy.** This represents the time during which a program/institution is considering or anticipating the application for Candidacy. A consulting visit by ABFSE representatives is required to review the status of the program including the ability to meet ABFSE candidacy eligibility requirements. (see Chapter IV and Appendix D).
23. **Preceptor.** A licensed individual who is a full-time employee of a funeral home who is under contract to the school or department and who meets qualifications as indicated in this manual, to provide on the job training and who assumes responsibilities for a student assigned between the times of regular visitors of the school or department faculty member-supervisor of record.
24. **Program:** A program in funeral service education as one unit in a comprehensive, multi-purpose institution.
25. **Public Members.** Representatives who are laypersons in the sense that they are not educators in or members of the profession for which the students are being prepared, nor are in any way directly related to the institutions or programs being evaluated.
26. **Qualified Instructor.** A full- or part-time faculty member meeting qualifications as indicated in this manual.
27. **Substantive change.** Any change at the institution or program level that impacts the ability to maintain compliance with standards. See Chapter VII. p. 8-6 and Appendix K for examples and associated fees.
28. **Self Study.** Is a formal process (which culminates in a written document) during which an educational institution or program critically examines its structure and substance, judges the program's overall effectiveness relative to its mission, identifies specific strengths and deficiencies and indicates a plan for necessary modification and improvements. A similar document is prepared for candidacy and is also referred to as a feasibility study.

Exam Information
The International Conference of Funeral Service Examining Boards

---------- Forwarded message ---------
From: **Sarah Gill** <exams@theconferenceonline.org>
Date: Mon, Jun 8, 2020 at 5:14 PM
Subject: RE: Conference Exams - National and State
To: Tillman Wolf, Corie <corie.wolf@dhp.virginia.gov>
Cc: <services@theconferenceonline.org>

Hi Corie,

Thank you for your email. I hope you and your family are also staying well!

Those are really great questions that we would love to help answer. I shared this email with Lauren (copied), who has a lot of experience working with state boards regarding their various requirements. In fact, she puts together our Regulations in Licensure book, which details licensure requirements by state. That might be a really helpful resource for you, but we'd also be happy to chat. Many Boards use our State Board Exams (SBE) for the purpose of issuing single licenses. We're set up to offer those at no cost to the state board as a member service (just the exam fee to the candidate).

The SBE is derived from the same blueprint as the NBE, but the main difference is the requirement to take the exam. While the requirement is to graduate from an ABFSE accredited program to be eligible for the NBE, the licensing board is in control over who takes the SBE. It works just like the LRR, where you would submit eligibilities to our office online and exam candidates would apply/pay for the exam through us (SBE-Arts or SBE-Sciences). Another difference is that you do need to pass both the Arts and Sciences sections of NBE in order to be considered an overall pass. This makes the SBE a great option for states that offer a funeral director only or embalmer only license because it adds flexibility, while still meeting the same standards as the NBE.

The following jurisdictions have separate licenses and use The Conference SBE option (many require a LRR as well):

Alabama

Alaska

Arizona

Florida

Idaho

Louisiana

Maryland

Mississippi

Missouri

Nevada

North Carolina

Ohio

Oklahoma

Oregon

South Carolina

Tennessee

Texas

Washington

It's also important to note that there varying levels of education requirements as pre-requisites before taking the SBE, which is set by each licensing board. Some states require a one-year funeral service certification program (example: Alabama and Texas) while others only require general education classes (example: Louisiana, Mississippi, Missouri). Most require some form of an apprenticeship/internship. Specifics on those requirements can also be found in the Regulations in Licensing booklet. The Model Practice Act also advises the passage of an "entry level exam" administered by The Conference in addition to the internship requirement for Qualifications of a Funeral Director License only.

I've provided answers to your questions below, but Lauren and I can also set up a call to discuss. I know it's a lot of information, but we're here to help! Here's our availability this week, but if nothing works we'd be happy to look at next week as well:

Tuesday 6/9 - Between 12 pm and 4 pm Central

Wednesday 6/10 - Between 9 am and 12 pm Central

Thursday 6/11 - Between 11:30 am and 4 pm Central

Please let me know if you have any questions in the meantime. Thanks again!

Sarah Gill

Examination Services Manager

The International Conference of Funeral Service Examining Boards, Inc.

COVID-19 exam updates can be found at https://theconferenceonline.org/covid-update/

From: Tillman Wolf, Corie [mailto:corie.wolf@dhp.virginia.gov]
Sent: Monday, June 8, 2020 10:42 AM
To: Sarah Gill <exams@theconferenceonline.org>
Subject: Conference Exams - National and State

Good morning Sarah,

I hope you are doing well and that you, your family, and the Conference staff are safe and healthy!

I wanted to touch base with you and see if I could "pick your brain" about the exam structure and how it is used/administered for states with combined licenses and with separate funeral director and embalmer licenses.

Recently, Virginia enacted legislation to require the Board to begin issuing separated Funeral Director and Embalmer licenses, in addition to the current combined license. Once of the items on the agenda for discussion is exam requirements.

If you have some time this week to chat, I would greatly appreciate it. Right now, I am working through the following questions for discussion:

- Can/do applicants for licensure as an embalmer take just the Sciences portion of the National exam? If they are eligible to take the NBE, they are welcome to do so. If Virginia will recognize the NBE Sciences score as fulfilling the requirement, then that is fine. However, candidates do need to pass both the Arts and Sciences sections to pass the NBE officially, but the scores can still stand on their own depending on your Board requirements. All that to say, the SBE-Sciences would likely be a better fit here.

- Likewise, can/do applicants for licensure as a funeral director take just the Arts portion of the National exam? It's the same as above, but the SBE-Arts would like be a better fit.

- What do the majority of the states with separated licenses do in terms of the national exam vs. a state exam (not LRR)? See the email above, as well as the Regulations in Licensing booklet.

- For states with separated licenses who also require the LRR exam - do these states have different exams for funeral director and embalmer licenses? Or, do they use one more "global" or more broad-based exam for their LRR exam? All LRR exams that we administer are state specific. They were created specifically on that jurisdictions laws, rules, & regulations. The SBE is NOT state-specific content which is why it is relevant to of our member boards. It's created using the same Job Task Analysis survey as the NBE.

- Is there any kind of "fact sheet" available for some of this information beyond the candidate handbooks?

Yes: https://theconferenceonline.org/resources/state-licensing-requirements/

Our Board will be convening advisory panels in August (7th or 14th) and September (1st) to make recommendations to the full Board on the licensure requirements. If the panel has questions, would you be available to answer those questions remotely - by phone or webex - if we are able to make that work for one of these meetings? Yes, either date should work.

If you are available and have time this week (or even next week), just let me know what works best for your schedule.

Thank you for all of your help,

Corie

Corie E. Tillman Wolf, J.D.

Executive Director
Boards of Funeral Directors and Embalmers,
Physical Therapy, and Long-Term Care Administrators
(804) 367-4424
corie.wolf@dhp.virginia.gov

Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice and providing information to health care practitioners and the public.

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Any and all statements provided herein shall not be construed as an official policy, position, opinion, or statement of the Virginia Board of Physical Therapy, Long Term Care Administrators, or Funeral Directors and Embalmers. Board staff cannot and do not provide legal advice. Board staff provides assistance to the public by providing reference to Board statutes and regulations; however, any such assistance provided by Board staff shall not be construed as legal advice for any particular situation, nor shall any such assistance be construed to communicate all applicable laws and regulations governing any particular situation or occupation. Please consult an attorney regarding any legal questions related to state and federal laws and regulations, including the interpretation and application of the laws and regulations of VBOPT, VBOLTCA, or VBOFDE.

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Navigation

The Conference THE INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS

Which Exam Do I Need?

National Board Exam (NBE)

-You are only eligible to take the NBE if you have graduated from an ABFSE-accredited program.

-The NBE consists of an Arts Exam and a Sciences Exam.

Apply for the NBE now!

State Board Exam (SBE)

-Must be made eligible by state (MD, OK, TN, TX are made eligible by school).

-There is a SBE Arts Exam and SBE Sciences Exam (depending on state).

-The SBE is NOT state-specific content.

Apply for the SBE now!

State Laws Exam (LRR)

-Must be made eligible by state (not applicable for TN).

-Consists of state-specific content covering laws, rules, regulations of the state.

Apply for the LRR now!

Other Exams

-The Conference is a proud provider for specialized examinations for member jurisdictions.

-The Conference provides the NC Pathology Examination

Apply for the NC Pathology Exam now!

Regulation Information

State Licensing Requirements
Laws, Rules, Statutes, CE Reqs
Regulatory Agencies
Accredited Schools
Look Up a License®

Frequently Asked Questions

Frequently Asked Questions
Practice Exam FAQ
Report A Potential Exam Security Breach
Quality Assurance Survey
Please Mail Me!

Examination Resources

State Board Exam Sample Questions
National Board Exam Sample Questions
LRR Exam Study Guide
State Board Exam Study Guide
National Board Exam Study Guide
Practice Examination
Other Exams

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The Conference THE INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS

LICENSE

Candidate Handbook for NBE

The NBE Candidate Handbook is designed to help you register and sit for the National Board Examination. It is important that you follow the registration steps carefully, as missing a step or making a mistake during registration can delay your examination, or prevent you from taking it entirely. Candidates agree to the terms of the handbook at time of registration, so it is important to thoroughly read the document before submitting an application:

NBE Candidate Handbook

NBE Arts Section
Funeral Arranging and Directing 51 Items
Funeral Service Marketing/Merchandising 21 Items
Funeral Service Counseling 22 Items
Legal and Regulatory Compliance 36 Items
Cemetery and Crematory Operations 20 Items
Pretest Questions 20 Items

NBE Science Section
Embalming 58 Items
Restorative Art 34 Items
Preparation for Disposition 31 Items
Funeral Service Sciences 27 Items
Pretest Questions 20 Items

Announcements

- Open Comment Period on Model Practice Act June 9, 2020
- COVID-19 Announcement – updated 5/29/2020 May 29, 2020
- Office Closure Notice – Memorial Day (5/25/220) May 22, 2020
- NBE Item Writing Training Workshop Opportunity April 4, 2020

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The Conference THE INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS

Candidate Handbook for SBE

The candidate handbook was designed to help you register and sit for the State Board Examination. This is not a complicated process, but it is important that you follow the registration steps carefully. Missing a step or making a mistake during registration can delay your examination, or prevent you from taking it entirely. Take the time to read through the handbook before you start to register—it will make the examination process easier for you along the way. Select the below candidate handbook below and read it carefully.

SBE Candidate Handbook

SBE Arts (Funeral Directing)
Funeral Arranging and Directing 51 Items
Funeral Service Marketing/Merchandising 21 Items
Funeral Service Counseling 22 Items
Legal Regulatory Compliance 36 Items
Cemetery & Crematory Operations 20 Items

SBE Sciences (Embalmer)
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Restorative Art 34 Items
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Internship Requirements and Reports

Current Requirements – Funeral Service Internship

Area	Statute/Regulation	Requirement(s)	Notes
Eligibility for internship	§ 54.1-2817	– High school diploma or its equivalent	No minimum age for intern
Ineligibility for internship	§ 54.1-2817	– Board shall not…approve an application to be a funeral service intern for any person convicted of embezzlement or of violating subsection B of § 18.2-126 (defilement of a dead human body)	Other convictions may be considered but are not absolute bars
Hours	18VAC65-40-130 (A), (B)	– At least **3,000 hours** of training – Work schedule of not less than 20 hours nor more than 60 hours per week	
Cases	§ 54.1-2817	– Intern has assisted in **embalming at least 25 bodies** and…has assisted in conducting **at least 25 funerals**	
Supervision	§ 54.1-2817 18VAC65-40-250	– No more than two funeral service interns...under any one licensee (funeral service, funeral directing, or embalming) – 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 two consecutive years in practice and are employed full time in or under contract with the establishment, facility, or institution where training occurs. – 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.	Supervisors can be FSLs, FDs, or Embalmers, but training supervision limited to scope of licensure
Training Site Requirements	18VAC65-40-210 18VAC65-40-220	– Licensed funeral service establishment or licensed branch establishment; full and unrestricted Virginia license – **Have 50 or more funerals and 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 funeral service intern may seek approval for an additional training site. – Board may grant approval for [intern] to receive all or a portion of embalming training at a facility of state or federal government or an accredited educational institution.	

Area	Statute/Regulation	Requirement(s)	Notes

Scope of Training	18VAC65-40-130 (C)
	
	18VAC65-40-340
		– Intern shall receive training in all areas of funeral service
		– The supervisor shall provide the intern with:
		  – all applicable laws and regulations…relating to the funeral industry
		  – copies of and instruction in the use of all forms and price lists employed by the funeral establishment
		  – instruction in making preneed funeral arrangements and instruction on the laws and regulations pertaining to preneed funeral contracts and disclosures
		  – instruction on cremation and on the laws and regulations pertaining to cremation
		  – instruction in all aspects of funeral services and shall allow the intern under direct supervision to conduct all necessary arrangements for a **minimum of 25 funerals**
		  – instruction on all necessary precautions, embalming functions, and reporting forms and shall allow the intern under direct supervision to perform a **minimum of 25 embalmings**.
		– 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.
			Embalming instruction may be done by embalming supervisor

Reporting	18VAC65-40-320	– Written report submitted to Board at the end of every 1,000 hours of training (within 14 days)	
Time limits on internship	§ 54.1-2817 18VAC65-40-130(A)	– Credit [for training/hours] shall not be allowed for any period of internship that has been completed more than three years prior to application for license or more than five years prior to examination for license. If all requirements for licensure are not completed within five years of initial application, the Board may deny an additional internship… – Hours to be completed in no less than 12 months and no more than 48 months (up to two one-year extensions may be granted)	

Virginia Department of
Health Professions
Board of Funeral Directors and Embalmers

9960 Mayland Drive, Suite 300
Henrico, Virginia 23233
www.dhp.virginia.gov/funeral

(804) 367-4479 (Tel)
(804) 939-5973 (Fax)
Email:
fanbd@dhp.virginia.gov

FIRST 1000 HOUR FUNERAL INTERNSHIP REPORT

FUNERAL SERVICE INTERN INFORMATION (PLEASE PRINT OR TYPE)

NAME OF INTERN (FULL LEGAL NAME):			REGISTRATION NO.:
MAILING ADDRESS: STREET	CITY	STATE	ZIP CODE
E-MAIL ADDRESS:			

SUPERVISOR AND ESTABLISHMENT INFORMATION (PLEASE PRINT OR TYPE)

NAME OF SUPERVISOR:			LICENSE NO.:
PHONE NUMBER:	E-MAIL ADDRESS:		
NAME OF ESTABLISHMENT WHERE EMPLOYED:			LICENSE NO.:
ADDRESS:	CITY	STATE	ZIP CODE

1. **REPORTING PERIOD AND HOURS**

Start Date (mm/dd/yy): _____ End Date (mm/dd/yy): _____

Average No. Hours Per Week: _____ **TOTAL HOURS WORKED:** _____

2. **AREAS OF KNOWLEDGE AND TRAINING.** Each intern must receive training in the following areas during the course of their internship. Did the intern receive training in these areas during this reporting period?

LAWS & BUSINESS PRACTICES	**Training**	
A) Virginia Laws and Regulations	☐ YES	☐ NO
B) Federal Laws: FTC, OSHA, ADA	☐ YES	☐ NO
C) Vital Statistics and Post-Mortem Regulations	☐ YES	☐ NO
D) Merchandise/Merchandising	☐ YES	☐ NO
E) Funeral Arranging (At Need & Preneed with families)	☐ YES	☐ NO
F) Cremation Laws	☐ YES	☐ NO
G) Funeral Directing	☐ YES	☐ NO
H) Preneed Funeral Laws	☐ YES	☐ NO
I) General Business Procedures	☐ YES	☐ NO

FUNERAL ARRANGEMENTS AND REMOVALS	Training	
A) First Calls/Removals	☐ YES	☐ NO
B) Assisting in Funeral Arrangements	☐ YES	☐ NO
C) Funeral Services (Memorial Services, Graveside Services, etc.)	☐ YES	☐ NO
D) Visitations	☐ YES	☐ NO
E) Cremation	☐ YES	☐ NO
F) Administrative Duties (Filing Death Certificates, paperwork, etc.)	☐ YES	☐ NO
G) Other Duties (Explain)	☐ YES	☐ NO

CARE AND PREPARATION OF BODY	Training	
A) Anatomy	☐ YES	☐ NO
B) Restorative Art	☐ YES	☐ NO
C) Safety and Sanitation	☐ YES	☐ NO
D) Embalming and Proficiency	☐ YES	☐ NO
E) Biohazard Awareness, OSHA	☐ YES	☐ NO
F) Organ/Tissue Donation	☐ YES	☐ NO
G) Anatomical Donation	☐ YES	☐ NO

3. **FUNERAL ARRANGEMENTS AND EMBALMINGS.** Please indicate the number completed by the intern during this reporting period. (Case information must be provided in Section 4 below.)

Funeral Arrangements	
Embalmings	

4. **CASE INFORMATION.** Please provide the following information regarding cases the intern assisted with during this reporting period.

Name of Deceased (Last Name, First Initial)	Assistance With			
	Embalming	Date	Arrangements	Date

Name of Deceased (Last Name, First Initial)	Assistance With			
	Embalming	Date	Arrangements	Date

***The Virginia Board of Funeral Directors and Embalmers reserve the right to request verification of hours worked and/or cases reported.**

5. **Attestations. (Must be signed by both Intern and Supervisor)**

Funeral Service Intern

I, the intern named herein, hereby certify that the information provided in this report is true and accurate and that I received the training indicated during this reporting period. I further attest that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements or misleading information provided herein shall be sufficient grounds for the denial, suspension, revocation, or discipline of my intern registration or subsequent licensure by the Virginia Board of Funeral Directors & Embalmers, even though it is not discovered until after completion of my internship or issuance of licensure.

_____ Date _____

Signature of Funeral Service Intern

Supervisor

I, the supervisor named herein, hereby certify that the information provided in this report is true and accurate and that the intern named herein received training under my supervision during this reporting period. I further attest that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements or misleading information provided herein shall be sufficient grounds for the denial, suspension, revocation, or discipline by Virginia Board of Funeral Directors & Embalmers of my registration as an intern supervisor or of my license as a funeral service licensee.

_____ Date _____

Signature of Supervisor

Virginia Department of
Health Professions
Board of Funeral Directors and Embalmers

9960 Mayland Drive, Suite 300
Henrico, Virginia 23233
www.dhp.virginia.gov/funeral

(804) 367-4479 (Tel)
(804) 939-5973 (Fax)
Email:
fanbd@dhp.virginia.gov

FUNERAL INTERNSHIP – REPORT OF FINAL COMPLETION

This form is to be completed by the Supervisor and Funeral Intern upon completion of 3,000 training hours.

FUNERAL SERVICE INTERN INFORMATION (PLEASE PRINT OR TYPE)

Name of Intern (Full Legal Name):			Registration No.:
Mailing Address: Street	City	State	ZIP Code
E-mail Address:			

SUPERVISOR AND ESTABLISHMENT INFORMATION (PLEASE PRINT OR TYPE)

Name of Supervisor:			License No.:
Phone Number:	E-mail Address:		
Name of Establishment Where Employed:			License No.:
Address:	City	State	ZIP Code

SUPERVISOR'S EVALUATION

Instructions: This section is to be completed by the **Supervisor ONLY**.

(1) Has this intern successfully completed the internship? ☐ Yes ☐ No

(2) Should this intern be entitled to sit for examination for funeral service licensing? ☐ Yes ☐ No

Please provide an explanation of your answers below. If applicable, identify areas of weakness and attach relevant documentation. Use a separate sheet if necessary.

INTERN'S EVALUATION

Instructions: This section is to be completed by the **Intern ONLY**.

(1) Do you believe the training you have received has adequately prepared you for the practice of funeral service? ☐ Yes ☐ No

(2) Do you agree with the supervisor's evaluation provided above? ☐ Yes ☐ No

Please provide an explanation of your answers below. Use a separate sheet if necessary.

AFFIDAVITS

FUNERAL INTERN

I hereby certify that the information provided in this report is true and accurate and that I have completed all required hours and training. The case information reported is derived from records of the establishment where I received training and these records are available, upon request, to the Virginia Board of Funeral Directors & Embalmers or any of its personnel. I further attest that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements or misleading information provided herein shall be sufficient grounds for the denial, suspension, revocation, or discipline of my intern registration or subsequent licensure by the Virginia Board of Funeral Directors & Embalmers, even though it is not discovered until after completion of my internship or issuance of licensure.

_____ _____

Date **Signature of Funeral Intern**

SUPERVISOR

I hereby certify that the information provided in this report is true and accurate and that the intern named herein has completed his or her internship training under my supervision. I further attest that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements or misleading information provided herein shall be sufficient grounds for the denial, suspension, revocation, or discipline by Virginia Board of Funeral Directors & Embalmers of my registration as an intern supervisor or of my license as a funeral service licensee.

_____ _____

Date **Signature of Supervisor**