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## Proposed Regulation Agency Background Document

<b>Agency name</b>	Board of Funeral Directors and Embalmers, Department of Health Professions
<b>Virginia Administrative Code (VAC) citation</b>	18 VAC 65-40
<b>Regulation title</b>	Regulations for the Resident Trainee Program in Funeral Service
<b>Action title</b>	Greater flexibility and accountability in requirements for resident trainee program
<b>Document preparation date</b>	9/28/05

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.*

In order to provide more flexibility in the resident trainee program, the Board proposes to allow the trainee to complete the required hours within a fewer number of months and to combine part-time employment as a trainee with part-time schooling or other employment. Other changes will add accountability for the supervision of the trainee by requiring the supervisor to have at least five years of practice experience before serving as a trainer and requiring specific training in cremation. The training site must have at least 50 funerals and 50 embalmings each year, but additional training sites may be used to complete the requirements for a traineeship. The Board is also increasing the application fee and adding a fee for registration of supervision, but is allowing a trainee to reinstate for up to one year following expiration, rather than having to reapply. The annual renewal expiration is being changed for consistency with other occupations under the Board from January to March.

### Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

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**Chapter 24** establishes the general powers and duties of health regulatory boards including the responsibility of the Board of Funeral Directors and Embalmers to promulgate regulations, levy fees, administer a registration and renewal program, and discipline regulated professionals.

§ 54.1-2400. *General powers and duties of health regulatory boards.--The general powers and duties of health regulatory boards shall be:*

1. *To establish the qualifications for registration, certification or licensure in accordance with the applicable law which are necessary to ensure competence and integrity to engage in the regulated professions.*
2. *To examine or cause to be examined applicants for certification or licensure. Unless otherwise required by law, examinations shall be administered in writing or shall be a demonstration of manual skills.*
3. *To register, certify or license qualified applicants as practitioners of the particular profession or professions regulated by such board.*
4. *To establish schedules for renewals of registration, certification and licensure.*
5. *To levy and collect fees for application processing, examination, registration, certification or licensure and renewal that are sufficient to cover all expenses for the administration and operation of the Department of Health Professions, the Board of Health Professions and the health regulatory boards.*
6. *To promulgate regulations in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) which are reasonable and necessary to administer effectively the regulatory system. Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 and Chapter 25 of this title.*
7. *To revoke, suspend, restrict, or refuse to issue or renew a registration, certificate or license which such board has authority to issue for causes enumerated in applicable law and regulations...*

The legal authority to promulgate regulations for resident trainees is found in Chapter 28 of Title 54.1, which sets forth statutory provisions for the licensure and practice of funeral establishments and funeral service licensees. Excerpts related to resident trainees are:

§ 54.1-2817. *Resident trainees. (Effective July 1, 2005)*

*A person desiring to become a resident trainee 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 resident trainee 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 resident trainee 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 resident trainee 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 resident traineeship. When a resident trainee 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 resident trainee later leaves the proctorship of the licensee whose service has been entered, the licensee shall give the resident trainee 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 resident trainee seeking permission to continue in-service training shall submit a request to the Board.*

*A certificate of resident traineeship shall be renewable as prescribed by the Board. The Board shall mail at such time as it may prescribe by regulation, to each registered resident trainee 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 resident trainee 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 resident trainees shall report to the Board at least every six months upon forms provided by the Board, showing the work which has been completed during the preceding six months of resident traineeship. 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 resident trainee 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 trainee worked showing that the trainee has assisted in embalming at least 25 bodies and that the trainee has assisted in conducting at least 25 funerals. In all applications of resident trainees 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 resident traineeship shall not entitle him to any privilege except to be examined for such license.*

*Credit shall not be allowed for any period of resident traineeship 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 traineeship. A resident trainee may continue to practice for up to 90 days from the completion of his traineeship 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 resident traineeship for violation of any provision of this chapter.*

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

## Purpose

*Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal and the problems the proposal is intended to solve.*

In its discussions over the past two years and through a review of its regulations for the resident trainee program in funeral service, the Board has identified a need to amend regulations that unnecessarily restrict the opportunities for persons interested in the funeral profession. Today, many of those are non-traditional or second career students who find it burdensome to obtain practical experience as a trainee on a full-time basis. The goal of the amended regulations is to add more flexibility to the program, and at the same time, require more accountability for trainees and their supervisors to ensure that they are adequately trained in all aspects of funeral service and prepared to take the national examinations. Adequate preparation and close supervision are necessary to ensure that the consuming public is protected from mismanagement, fraud or unhealthy practices in a funeral establishment.

## Substance

*Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the "Detail of changes" section.)*

The following are the substantive changes to existing sections:

### **18VAC65-40-10. Definitions.**

Since the Board has eliminate the restriction on serving as a resident trainee while attending school full-time, the definition for "Full-time school attendance" would not be necessary. That would mean that an individual attending mortuary science school, who is enrolled in 12 or more semester hours of coursework per semester, could also work part-time as a trainee.

### **18VAC65-40-40. Fees.**

The Board will examine the resident trainee fees in relation to the overall budget of the Board. With additional reporting forms and accountability, there may be a need for a modest increase in the registration and renewal fee. The \$15 fee charged for the paperwork involved in a change of supervisor may be increased to \$25, consistent with fees charged by other boards at the Department and with the staff time involved in that transaction. The Board also needs to

amend regulations for late fees and reinstatement for consistency with the Fee Principles of the Department. Section 280 requires submission of an application to serve as a supervisor and review of documentation to determine eligibility, so the Board needs to establish a minimal fee for supervisor registration.

**18VAC65-40-90. Renewal of registration.**

Currently, the resident trainee registration expires on January 31 of each calendar year. The Board intends to modify that schedule for consistency with other licenses so there is less confusion in funeral establishments about renewal schedules. Renewals concentrated in one time period is also less burdensome for board staff than having renewals spaced over several months. If the requirement is amended to March 31, as it is for other licensees, resident trainees would be given two additional months with their current registration.

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

The Board needs to amend regulations for late fees and reinstatement for consistency with the Fee Principles of the Department, so the trainee may be able to renew with payment of a late fee for one year following expiration and thereafter would need to reinstate. Reinstatement could be allowed within three years of its expiration date if a traineeship is interrupted, but after three years, a new application for registration would need be filed and a new training program begun. The requirement for interruption and reinstatement, currently in section 300, should be modified and incorporated into section 110. The current requirement in 300 A for the trainee to obtain a new supervisor if the program is interrupted may not be necessary. There are many reasons for interruption, and resumption with the previous supervisor may be more advantageous.

Regulations should state that if circumstances preclude resumption with the same supervisor, a new supervisor must be obtained.

**18VAC65-40-130. Resident training.**

Currently, the trainee program consist of at least 18 months of resident training and an individual may hold an active traineeship registration for a maximum of 48 months from the date of initial registration for the traineeship program. The board, in its discretion, may grant an extension of the traineeship registration.

The Board proposes to substitute the equivalent number of hours in a resident traineeship (18 months = 3,000 hours) and set a minimum of 12 months and a maximum of 48 months in which to complete those hours. To ensure some continuity in the training and availability of the trainee for the establishment, the Board will set a minimum number of hours per week (probably 20 hours/week) and a maximum of hours per week (probably 60 hours/week). Currently the trainee is required to work a full-time schedule at least 40 hours each week in order to obtain credit. The proposed regulation will offer the opportunity for a trainee to set a schedule for gaining practical experience that meets his/her and the funeral establishment's need. By not requiring a 40-hour week schedule, smaller funeral homes that do not have enough business to justify hiring a full-time trainee may be able to serve as training sites for trainees who want part-time training in combination with school or while holding another job. Likewise, trainees who are seeking licensure as a second career may wish to attend school and work to complete all requirements in a shorter period of time.

The restriction stating that a resident trainee cannot attend school full time while serving his traineeship will be eliminated.

Regulations will provide authority for the Board to waive any limitation that presents an unreasonable hardship in its enforcement and also to extend the traineeship consistent with the limitations set in § 54.1-2817 of the Code.

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

Currently, the board can approve an establishment or two combined establishments to serve as the training site or sites that have 35 or more funerals and 35 or more bodies for embalming over a 12-month period for each person to be trained. That number is considered minimal to allow the trainee to meet the statutory and regulatory requirement to perform a minimum of 25 funerals and 25 embalmings under direct supervision. Since amended regulations would allow the trainee to only work part-time, the Board has determined that the minimum number should be increased to 50 funerals and 50 bodies for embalming. That would give the trainee adequate opportunity to be personally involved in funeral planning and directing and in embalming a variety of bodies. The Board would retain the regulation that allows the resident trainee to get approval for an additional training site if the establishment in which he is doing his traineeship cannot meet the required number of funerals or embalmings.

**18VAC65-40-250. Requirements for supervision.**

The Board has specified that it will approve only funeral service licensees, licensed funeral directors, or licensed embalmers with five or more years of experience to provide training to ensure that the licensee is sufficiently experienced to have encountered a variety of cases and has the knowledge and maturity to provide adequate instruction and supervision. However, the Board will modify the requirement for the supervisor to be employed full-time in the establishment where the training occurs. For example, many funeral establishments now use contract embalmers; those individuals specialize in embalming procedures and may be the best persons to instruct and supervise a trainee in embalming. The current requirement that a supervisor must be employed full-time in the establishment eliminates the possibility of such a person serving as the supervisor for embalming. The current requirement in 300 A for the trainee to obtain a new supervisor if the program is interrupted is not necessary. There are many reasons for interruption, and resumption with the previous supervisor may be more advantageous. Regulations should state that if circumstances preclude resumption with the same supervisor, a new supervisor must be obtained.

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

Since the training requirement will be expressed in hours rather than in months, the Board will need to modify the regulation on reporting. Currently, § 54.1-2817 requires resident trainees to report at least every six months, so until that section is amended, board regulations will need to require some type of six-month report. However, the substantive reporting should coincide with the completion of a portion of the hourly requirement. Regulations will be amended to require an evaluation of knowledge and proficiency after 1,000 hours of the traineeship has been completed and a full accounting of the trainee's activity at the conclusion of the program.

**18VAC65-40-340. Supervisors' responsibilities.**

Currently, regulations require the supervisor to provide the trainee with instruction in all aspects of funeral services and to allow the trainee under direct supervision to conduct all necessary arrangements for a minimum of 25 funerals. The supervisor must also provide the trainee with instruction in making preneed funeral arrangements and instruction on the laws and regulations pertaining to preneed funeral contracts and disclosures. The embalming supervisor must provide instruction on all necessary precautions, embalming functions, and reporting forms and allow the trainee under direct supervision to perform a minimum of 25 embalmings. With an increasing number of people choosing cremation for their final disposition, the Board believes the trainee should receive specific instruction on the laws, regulations and arrangements pertaining to cremation. It should also be clarified that any establishment serving as a training site that does

not offer preneed funeral planning or cremation should arrange for such training with another licensed facility that does.

**Issues**

*Please identify the issues associated with the proposed regulatory action, including:*

- 1) *the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) *the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) *other pertinent matters of interest to the regulated community, government officials, and the public.*

*If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.*

1) The primary advantage to the consumers of funeral services could be an increase in the number of individuals who would become resident trainees and eventually funeral service licensees because of the flexibility of “part-time” training or the ability to complete the program within a shorter time frame. In addition, specific requirements for training in cremation and preneed will benefit consumers who are seeking those services from funeral establishments. There are no disadvantages to consumers.

2) There are no advantages or disadvantages to the Commonwealth.

3) There are no other pertinent matters of interest.

**Economic impact**

*Please identify the anticipated economic impact of the proposed regulation.*

<p><b>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures</b></p>	<p>a) As a special fund agency, the Board must generate sufficient revenue to cover its expenditures from non-general funds, specifically the renewal and application fees it charges to practitioners for necessary functions of regulation; b) The agency will incur some one-time costs (less than \$1,000) for mailings to the Public Participation Guidelines mailing lists, conducting a public hearing, and sending notice of final regulations to regulated entities. Every effort will be made to incorporate those into anticipated mailings and Board meetings already scheduled. There are no on-going costs to the agency.</p>
<p><b>Projected cost of the regulation on localities</b></p>	<p>None</p>
<p><b>Description of the individuals, businesses or other entities likely to be affected by the regulation</b></p>	<p>The individuals and businesses that are likely to be affected by the regulation are resident trainees in funeral service and funeral establishments.</p>
<p><b>Agency’s best estimate of the number of such</b></p>	<p>There are currently 510 licensed funeral</p>

<p><b>entities that will be affected. Please include an estimate of the number of small businesses affected.</b> Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>establishments; of that number approximately 350 would be considered small businesses. The rest are establishments that are owned by large, national or international corporations. The exact number that serve as a training site for resident trainees is not known since registration is not required, but there are currently 185 trainees. It is estimated that many of them are employed by the large, chain-owned establishments, since those facilities typically have sufficient resources and activity to utilize a trainee.</p>
<p><b>All projected costs of the regulation for affected individuals, businesses, or other entities. Please be specific. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses.</b></p>	<p>The projected costs for resident trainees would be an increase in the registration of \$25 per year and a \$25 fee for initial registration of a supervisor. However, amended regulations would allow a trainee to maintain other employment or to combine mortuary school with training, which could result in a significant benefit in available income to the trainee.</p> <p>The agency does not believe that there are additional costs for compliance by funeral establishments with amended regulations. While the number of embalmings and funerals that a training site must have has increased from 35 to 50 per year, the representative of the Independent Funeral Homes in Virginia estimates that none of his members have fewer than 75 funerals a year. It is likely that only establishments with that number of funerals or more would be able to afford to pay a resident trainee. If a smaller establishment wanted to have a resident trainee part-time (allowable under the proposed regulation), the trainee and funeral home could arrange for a second training site to provide a total of 50 per year.</p> <p>The reporting requirement is also being restated but not increased (the same number of interim and final reports).</p>

**Alternatives**

*Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.*

Within the funeral profession, there is a national discussion about the education and training of future licensees and recognition of the need to balance the increasing demand for professionalism against the need for flexibility in requirements to encourage more individuals to seek funeral service as a first or second career. There is ongoing debate about whether a student should complete his/her educational program prior to, subsequent to or simultaneously with the internship or traineeship. The American Board of Funeral Service Education, the accrediting



body approved by the Board, is considering and seems to be moving toward the incorporation of an internship into the educational programs. The Virginia Board has determined that its regulations do not allow enough flexibility to accommodate the needs of various students and funeral establishments that might be willing to serve as training sites. By requiring a trainee to work at least a 40-hour week in a resident traineeship and restricting school attendance while engaged in a traineeship, current regulations are not sufficiently flexible to meet the needs of many of today's students who are often working to support a family while they are in school or being trained in funeral service. Of the 31 students enrolled at John Tyler Community College in 2004, 18 were in the 25-34 age bracket. By allowing more flexibility in combining work and school, more qualified, mature individuals may seek a career in funeral service.

Along with flexibility in training, there is a need for greater accountability. The Board discussed amendments to regulations that would require specific training for and registration of the preceptors or supervisors for resident trainers. The Board depends on those licensees to impart the practical knowledge of funeral service and to adequately supervise their work in funeral directing, embalming, preneed planning and other aspects of funeral service, but there is concern that the trainers may not have sufficient knowledge and experience to perform those duties. While a program to "train the trainers" was seriously considered, the Board determined that there were other less burdensome alternatives that should be implemented first. In addition, educational programs are having difficulty finding training sites (funeral establishments) that are willing to employ their students as resident trainees. While specific training for preceptors did not seem appropriate at this time, the Board may work with educational programs in the future to develop a training module that could be required prior to registering to supervise a resident trainee.

During the periodic review, the Virginia Funeral Directors Association commented that its task force on licensure had expressed concern about the amount of time a person may remain a trainee without obtaining a license. An amendment to section 130, specifying a time frame for completion of a traineeship will address that concern, while the Board retains the authority to extend the time frame for good cause.

In addition, other interested parties actively participated in the Board's Task Force on the Resident Trainee Program, including board members who have experience in and knowledge about resident traineeships, other licensees who serve as supervisors for resident trainees and program directors from Norfolk State and John Tyler CC. Recommended amendments were the result of a consensus among educators, supervisors, licensees and others.

### Public comment

*Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.*

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The Notice of Intended Regulatory Action was published in the Register on July 25, 2005 and sent to the Public Participation Guidelines list with comment requested until August 24, 2005. There was no comment on the NOIRA.

**Family impact**

*Please assess the impact of the proposed regulatory action on the institution of the family and family stability.*

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

**Detail of changes**

*Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.*

<b>Current section number</b>	<b>Proposed new section number, if applicable</b>	<b>Current requirement</b>	<b>Proposed change and rationale</b>
10	n/a	Requires a person attending mortuary school to attend full-time or take at least 12 semester hours per semester.	Since the Board has eliminated the restriction on serving as a resident trainee while attending school full-time, the definition for "Full-time school attendance" is not necessary. That means that an individual attending mortuary science school, who is enrolled in 12 or more semester hours of coursework per semester, could also work part-time as a trainee or an individual could take a couple of classes while continuing to work at a job that supports his/her family.
40	n/a	Sets the fees for registration	In keeping with the overall budget of the Board, there is a need for a modest increase in the registration and renewal fee from \$75 to \$100. The \$15 fee charged for the paperwork involved in registration of supervision or for a change of supervisor is set at \$25, consistent with fees charged by other boards at the Department and with the staff time involved in that transaction. Section 280 requires submission of an application to serve as a supervisor and review of documentation to determine eligibility, so the Board needed to establish a minimal fee for supervisor registration. The Board has also amended regulations for late fees and reinstatement for consistency with the Fee Principles of the Department.
90	n/a	Sets the deadline for renewal at January 31 <sup>st</sup> each year	The Board has modified the renewal schedule for consistency with other licenses so there is less confusion in funeral establishments about renewal schedules. Renewals concentrated in one time period is also less burdensome for board staff than having renewals spaced over several months. With the schedule amended to March 31, as it is for other licensees, resident trainees would be given two additional months with their current registration.
110	n/a	Currently, any late renewal after 30 days past expiration requires reinstatement of the registration and payment of all applicable fees (including all past renewal	The Board needs to amend regulations for late fees and reinstatement for consistency with the Fee Principles of the Department, so the trainee may be able to renew with payment of a late fee for one year following expiration and thereafter would need to reinstate. Reinstatement could be

		fees).	allowed within three years of its expiration date if a traineeship is interrupted, but after three years, a new application for registration would need be filed and a new training program begun. The requirement for interruption and reinstatement, currently in section 300, has been modified and incorporated into section 110 or section 250.
130	n/a	Currently, the trainee program consist of at least 18 months of resident training and an individual may hold an active traineeship registration for a maximum of 48 months from the date of initial registration for the traineeship program.	The Board proposes to substitute the equivalent number of hours in a resident traineeship (18 months = 3,000 hours) and set a minimum of 12 months and a maximum of 48 months in which to complete those hours. For good cause shown, the Board would be allowed to waive the limitations. To ensure some continuity in the training and availability of the trainee for the establishment, the Board will set a minimum number of hours per week (20 hours/week) and a maximum of hours per week (60 hours/week). Currently the trainee is required to work a full-time schedule at least 40 hours each week in order to obtain credit. (Section 160) The proposed regulation will offer the opportunity for a trainee to set a schedule for gaining practical experience that meets his/her and the funeral establishment's need. By not requiring a 40-hour week schedule, smaller funeral homes that do not have enough business to justify hiring a full-time trainee may be able to serve as training sites for trainees who want part-time training in combination with school or while holding another job. Likewise, trainees who are seeking licensure as a second career may wish to attend school and work to complete all requirements in a shorter period of time. The restriction stating that a resident trainee cannot attend school full time while serving his traineeship would be eliminated. Regulations will provide authority for the Board to waive any limitation that presents an unreasonable hardship in its enforcement and also to extend the traineeship consistent with the limitations set in § 54.1-2817 of the Code.
160	n/a	Requires full-time employment of at least 40 hours a week and training in all areas of funeral service.	This section was repealed. Full-time employment would not be required, and the minimum and maximum number of hours and requirement for training in all areas of practice placed in section 130.
220	n/a	Current regulations allow the board to approve an establishment or two combined establishments to serve as the training site or sites that have 35 or more funerals and 35 or more bodies for embalming over a 12-month period for each person to be trained.	That number of required funerals and embalmings is considered too few to allow the trainee to meet the statutory and regulatory requirement to perform a minimum of 25 funerals and 25 embalmings under direct supervision. Since amended regulations would allow the trainee to only work part-time, the Board has determined that the minimum number should be increased to 50 funerals and 50 bodies for embalming. That would give the trainee adequate opportunity to be personally involved in funeral planning and directing and in embalming a variety of bodies. The Board would retain the regulation that allows the resident trainee to get approval for an additional training site if the establishment in which he is doing his traineeship cannot meet the required number of funerals or embalmings.
250	n/a	Sets the requirements for who can serve as a supervisor and for the supervision of a trainee.	Amended regulations will allow the Board to approve only funeral service licensees, licensed funeral directors, or licensed embalmers with five or more years of experience to provide training to ensure that the licensee is sufficiently

			<p>experienced to have encountered a variety of cases and has the knowledge and maturity to provide adequate instruction and supervision. However, the Board will modify the requirement for the supervisor to be employed full-time in the establishment where the training occurs. For example, many funeral establishments now use contract embalmers; those individuals specialize in embalming procedures and may be the best persons to instruct and supervise a trainee in embalming. The current requirement that a supervisor must be employed full-time in the establishment eliminates the possibility of such a person serving as the supervisor for embalming. The current requirement in 300 A for the trainee to obtain a new supervisor if the program is interrupted is not necessary. There are many reasons for interruption, and resumption with the previous supervisor may be more advantageous. Regulations state that if circumstances preclude resumption with the same supervisor, a new supervisor must be obtained.</p>
300	n/a	Establishes current requirements for interruption and reinstatement of supervision.	This section has been repealed. The rule stating that credit is only allowed for training under direct supervision and that credit resumes when a supervision has been approved by the Board are restated in section 250
320	n/a	Specifies the timing and content of reports that must be filed with the Board during a resident traineeship.	Since the training requirement will be expressed in hours rather than in months, the Board has modified the regulation on reporting. Currently, § 54.1-2817 requires resident trainees to report at least every six months, so until that section is amended, board forms will need to require some type of six-month report. However, the substantive reporting should coincide with the completion of a portion of the hourly requirement. Regulations are amended to require an evaluation of knowledge and proficiency after 1,000 hours of the traineeship has been completed and a full accounting of the trainee's activity at the conclusion of the program.
340	n/a	Sets out the specific responsibilities of supervisors for training in all aspects of funeral service and embalming.	Subsection F is added to require the supervisor to provide instruction on cremation and on the laws and regulations pertaining to cremation. Subsection G specifies that if a training site does not offer preneed funeral planning or cremation services, the supervisor is responsible for arranging such training at another licensed funeral establishment that does.