

January 16, 2018
Board Room #2
10:00 a.m.

Agenda

Virginia Board of Funeral Directors & Embalmers Full Board Meeting and Public Hearings

Call to Order – Larry T. Omps, FSL, Board President

- Welcome and Introductions
 - Emergency Egress Procedures
-

10:05 a.m. Public Hearing

To receive public comments on proposed changes to the General Regulations Governing Funeral Directors and Embalmers (18VAC65-20-10 et seq.) – Clarification of permission to embalm and refrigeration of human remains

10:10 a.m. Public Hearing

To receive public comments on proposed changes to the General Regulations Governing Funeral Directors and Embalmers (18VAC65-20-10 et seq.) – Continuing Education (CE) for attendance of board meetings

Public Hearing Adjournment

Business Meeting of the Board

Approval of Minutes - Pages 9-17

- Board Meeting - October 10, 2017
 - Examination Committee - October 10, 2017
 - Ad Hoc Committee on Funeral Internships - December 7, 2017
-

Ordering of Agenda

Public Comment

The Board will receive public comment related to 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.

Agency Report - David E. Brown, DC

Staff Reports

- Executive Director's Report – Corie E. Tillman Wolf - Pages – 18-26
 - Discipline Report – Lynne Helmick
-

Committee and Board Member Reports

- Board of Health Professions Report – Junius H. Williams, Jr.
 - Examination Committee – Frank Walton, FSL
 - Ad Hoc Committee on Funeral Internships – Blair Nelsen, FSL
-

Legislation and Regulatory Actions - Elaine Yeatts - Pages - 45-51

- Reconsideration of NOIRA - Regulations for the Funeral Service Internship Program
 - Report of 2018 General Assembly
 - Report of Regulatory Actions
-

Old Business

- Update on Sanctioning Reference Points Project - **Neal Kauder, Kim Small**
-

New Business

Next Meeting - April 17, 2018

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 2.2-3708(D).

DRAFT

PUBLIC HEARING

To receive public comments on proposed changes to the General Regulations Governing Funeral Directors and Embalmers (18VAC65-20-10 et seq.) - Clarification of permission to embalm and refrigeration of human remains

and

To receive public comments on proposed changes to the General Regulations Governing Funeral Directors and Embalmers (18VAC65-20-10 et seq.) - Continuing Education (CE) for attendance of board meetings

Report on Regulatory Actions (as of January 1, 2018)

Board		Board of Funeral Directors and Embalmers
Chapter	Action / Stage Information	
[18 VAC 65 - 20]	Regulations of the Board of Funeral Directors and Embalmers	<u>Clarification of permission to embalm and refrigeration of human remains</u> [Action 4765] Proposed - Register Date: 12/25/17 Public hearing – 1/16/18 Comment until 2/23/18
[18 VAC 65 - 20]	Regulations of the Board of Funeral Directors and Embalmers	<u>CE credit for board meetings</u> [Action 4806] Proposed - Register Date: 1/8/18 Public hearing – 1/16/18 Comment until 3/9/18
[18 VAC 65 - 40]	Regulations for the Funeral Service Intern Program	<u>Oversight of funeral intern program</u> [Action 4895] NOIRA - At Governor's Office Re-adoption of NOIRA – 1/16/18

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Clarification of permission to embalm and refrigeration of human remains

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.

18VAC65-20-581. 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 in refrigeration.

Project 5113 - Proposed

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

CE credit for board meetings

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.

APPROVAL OF MINUTES

DRAFT UNAPPROVED MINUTES
VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS
MEETING MINUTES

The Virginia Board of Funeral Directors and Embalmers convened for a Board meeting on Tuesday, October 10, 2017 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia 23233.

BOARD MEMBERS PRESENT

Louis R. Jones, FSL, President
Larry T. Omps, Vice President
Joseph Frank Walton, Secretary-Treasurer
Connie B. Steele, FSL
R. Thomas Slusser, Jr., FSL
Blair Nelsen, FSL
Mia F. Mimms, FSL, JD

BOARD MEMBERS ABSENT

Ibrahim A. Moiz, Esq., Citizen Member
Junius H. Williams, Jr., Citizen Member

STAFF PRESENT FOR ALL OR PART OF MEETING

Corie Tillman Wolf, Executive Director
Lynne Helmick, Deputy Executive Director
David Brown, DO, Agency Director
Heather Wright, Program Manager, FDE/LTCA Boards
Candace Carey, Discipline Assistant
Erin Barrett, Assistant Attorney General, Board Counsel

GUESTS PRESENT

Abbey Shepperson, VFDA
Barry D. Robinson, VMA
Paul Harris, Regulatory Support Services, Inc.

CALLED TO ORDER

Louis Jones, FSL, President, called the Board meeting to order at 10:00 a.m.

Board members and staff introduced themselves. With 7 Board members present, a quorum was established.

Mr. Jones stated the following before the first order of business:

- 1) He reminded Board Members to speak into the microphones so everyone can hear.
- 2) He reminded the audience that there are sign in sheets if they wish to make public comment.
- 3) Computers were provided to the Board members for the purpose of the meeting only and have no connection to the internet. The material that they are able to review on the computer is the same material that has been made available to the public.
- 4) He asked for the members of the audience to refrain from approaching or discussing Board related business with the Members during breaks.

Ms. Tillman Wolf then read the emergency egress instructions.

ACCEPTANCE OF MINUTES

Upon a motion by Connie Steele, and properly seconded by Larry Omph, the Board voted to accept the following meeting minutes:

- Minutes of Board Meeting – July 18, 2017
- Formal Hearing – July 18, 2017
- Examination Committee Meeting – September 4, 2017
- Ad Hoc Committee on Funeral Internships – September 22, 2017

The motion passed unanimously. The minutes of two Informal Conferences, held on August 24, 2017, were presented but do not require approval of the Board.

ORDERING OF AGENDA

There was one change to the agenda. Elaine Yeatts, Senior Policy Analyst, was not able to attend the meeting, and Ms. Tillman Wolf will be presenting the Regulatory/Legislative report.

Upon a motion by Mr. Walton, and properly seconded by Mr. Slusser, the Board voted to accept the Agenda as revised. The motion passed unanimously.

PUBLIC COMMENT PERIOD

Barry Robinson, VMA, stated that since this is the last meeting before the new year, he wished everyone happy holidays.

AGENCY DIRECTOR'S REPORT- David Brown – Agency Director

Dr. Brown relayed information from his participation in the Governor's task force on the opioid crisis in Virginia. He stated that there has been a 40% increase of deaths from 2015-2016. The opioids generally involved are heroin, Fentanyl, and synthetic opioids. For 80% of the heroin addicts, their addiction started with an opioid prescription. In 2016, enough opioid prescriptions were written to provide every adult in the country with a bottle. The General Assembly tasked the Secretary of Health and Human Resources with two workgroups that have been convened by

DHP: a workgroup on the development of educational curricula for health professional schools and a workgroup on the electronic prescribing of opioids based upon a bill that requires that all opioid prescriptions be conveyed to pharmacies electronically by 2020.

Dr. Brown announced that the agency is working on training videos for Board Members which will include training on confidentiality, Sanctioning Reference Points, probable cause, conflict of interest, and chairing Board meetings and hearings.

Dr. Brown stated that DHP requested and was granted a change in how time is counted for disciplinary cases in the Virginia Performs goals. The days a case has been in a continued status for pending informal conferences and formal hearings will not be counted as part of the total days a case is pending.

Dr. Brown reported that the Governor did not accept the Board’s legislative proposal for a change to the statute on funeral internships, and that bill will not be part of the Governor’s legislative package.

With no further questions, Dr. Brown concluded his report.

PRESENTATION – Virginia’s Registered Apprenticeship Program

Patricia Morrison, Director, Division of Registered Apprenticeship, Virginia Department of Labor and Industry, gave a presentation on the Registered Apprenticeship Program and on how her office supports apprentice programs in varied occupations throughout the state.

BREAK

Mr. Jones called for a break at 11:06 a.m. The meeting reconvened at 11:16 a.m.

STAFF REPORTS

Executive Director’s Report - Corie Tillman Wolf, Executive Director

Corie Tillman Wolf, Executive Director, began her report by introducing a new staff member, Candace Carey, Discipline Assistant.

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of June 30, 2017.

Cash Balance as of June 30, 2016	\$ 242,995
FY17 Revenue	698,615
Less Direct & In-Direct Expenditures	<u>560,863</u>
Cash Balance June 30, 2017	\$ 380,747

There is a projected cash balance of \$385,472 at the end of FY 18. It is recommended that no action be taken at this time regarding license fees.

Ms. Tillman Wolf presented licensure statistics that included the following information:

License	Q1 FY 2018	Q4 FY 2017	Change +/-
Funeral Service Licensees	1,539	1,515	24
Funeral Director	39	39	--
Embalmer Only	2	2	--
Supervisors	522	512	10
Interns	195	184	11
Establishments	430	430	--
Branch Establishments	77	76	1
Crematories	113	113	--
CE Providers	16	23	(7)
Courtesy Card Holders	99	88	11
Surface Transport & Removal Svc.	45	43	2
Total (*not incl. supervisors)	2,555	2,513	42

New Licenses/Registrations Issued Jan 1-September 30, 2017

License Type	Number
Funeral Service Licensees	41
Supervisors	26
Interns	60
Establishments	3
Branch Establishments	2
Crematories	3
CE Providers	1
Courtesy Card Holders	14
Surface Transport & Removal Svc.	6

Ms. Tillman Wolf provided the following statistics regarding the Virginia Performs – Customer Satisfaction Survey Results

- Q1 17 – 100%
- Q2 17 – 100%
- Q3 17 – 88.9%

Q4 17 – 100%

Ms. Tillman Wolf provided the following updates:

- The International Conference of Funeral Service Examining Boards
 - The Model Internship Ad Hoc Committee convened in late September.
 - Electronic transmission of scores – both National Exam and State LRR Exam – has recently started.
- Sanction Reference Points project
 - Board member interviews were conducted in late May. From those interviews, the following points were made:
 - The SRP manual would be a good tool for cases that do not rise to level of IFC; i.e. tool for PHCOs.
 - There are items not covered by worksheets including cases involving care and handling of deceased and scoring of impairment/incapacitation cases.
 - Clarification of “any decedent involvement” is needed.
 - All agreed the SRP is a good tool for the sanctioning process and beneficial to new Board members.
 - Researchers have been collecting information from closed funeral cases and are about halfway through review of study sample.
 - At the next meeting, the statistical results of study will be shared with Board.

Ms. Tillman Wolf had the following reminders and staff notes:

- Please contact Board staff if you receive a request for a presentation (e.g. Laws & Regs or Preneed).
- If travelling on official Board business, Board members will need to get approval beforehand, even if an organization is paying expenses.
 - Board members were reminded to keep records of reimbursement received.
 - If there are any questions related to travel, please contact Board staff.

Ms. Tillman Wolf reminded Board members to let staff know if there are changes in contact information. She thanked the Board members for their hard work and dedication.

The Board meeting dates for 2018 are:

January 16 (Tues) - 10:00 a.m.

April 17 (Tues) - 10:00 a.m.

July 12 (Tues) - 10:00 a.m. This is a change in date from what was previously reported.

October 16 (Tues) - 10:00 a.m.

With no further questions, Ms. Tillman Wolf concluded her report.

Discipline Report – Lynne H. Helmick, Deputy Executive Director

Lynne Helmick, Deputy Executive Director, reported on the current number of open cases, discipline statistics, and Key Performance Measures.

38 Open Cases

6 in APD

26 in Investigation
6 in Probable Cause

12 licensees are in Compliance Monitoring.

Virginia Performs (Q4-FY2017):

- The Clearance Rate was 100%. We received 6 cases and closed 6 cases.
- The Pending Caseload over 250 days was at 10% (1 case).
- The percentage of cases closed within 250 days was 67%. Four of the six cases closed were within 250 days.

All cases closed in Q4-FY2017:

- The number of cases received was 22.
- The total number closed was 20.
- The percentage of cases closed within 250 business days was 70%.
- The average number of calendar days to close a case was 223.3 days.

Ms. Helmick provided a summary of the categories of cases processed by the Board in FY17 and the first quarter of FY18.

With no further questions, Ms. Helmick concluded her report.

Board Counsel Report – Erin Barrett, AAG

Ms. Barrett did not have a report.

COMMITTEE AND BOARD MEMBER REPORTS

Examination Committee – Frank Walton, FSL

Mr. Walton stated the Committee met on September 5, 2017 and will meet again on October 10, 2017. He said the Committee's approach is a two-step process – the first step was to review the current questions and the second step is to draft new questions.

Ad Hoc Committee on Funeral Internships – Blair Nelsen, FSL

Mr. Nelsen reported that the committee met again on September 22, 2017. He reported that the committee looked at reporting forms from other jurisdictions and made recommendations for changes to our report forms. The staff will draft new forms to present to the committee. Mr. Nelsen stated the committee is planning to look at Funeral Intern Supervisor training after the report forms are completed. Mr. Nelsen then segued into his report from the Conference.

Report from the Conference of Funeral Service Examining Boards – Blair Nelsen, FSL

Mr. Nelsen discussed the Conference's Model Internship Committee and stated that it has been interesting to him to see the different jurisdictions' requirements. He reported that the Conference is also looking at intern supervisor training.

Mr. Nelsen stated that the Conference's annual conference will be from February 27, 2018 to March 3, 2018 in New Orleans. Mr. Nelsen recommended the Board member training which he plans to attend.

Mr. Nelsen stated Massachusetts has dropped the licensure requirement for passage of the national examination. He said this will likely have implications for other jurisdictions.

Board of Health Professions Report – Junius Williams, Jr.

Mr. Williams was not present; the report will be deferred until the next Board meeting.

Upon a motion by Mr. Omph, duly seconded by Mr. Nelsen, the Board accepted the reports of the Examination Committee, the Committee on Funeral Internships, and the Report from the Conference. The motion passed unanimously.

LEGISLATIVE AND REGULATORY ACTIONS – Corie Tillman Wolf

Ms. Tillman Wolf presented the revised, draft language for proposed regulations on continuing education credit for attendance at Board meetings. Board members discussed the addition of committee meetings to the proposed wording.

Upon a motion by Mr. Nelsen, duly seconded by Mr. Slusser, the Board voted to adopt the proposed regulations for continuing education credits for attendance of Board meetings as presented and revised. The motion passed unanimously.

OLD BUSINESS

Ms. Helmick provided information from the statutes of the Virginia Department of Health (§32.1-309.1 and §32.1-309.2) relative to the discussion at the previous Board meeting regarding storage of bodies received from hospitals or nursing homes in situations where there has been no communication with next of kin.

NEW BUSINESS

Funeral Science Students and Embalming – Frank Walton, FSL

Mr. Walton discussed difficulties he encounters related to funeral sciences students and embalming. He stated that there is no provision in the Board's statutes or regulations regarding a student's ability to embalm in a funeral home. The funeral science schools are having difficulty with providing enough lab embalming experience. The cadavers are of limited use because of

their condition and the cost of cadavers is high. He stated that the State Anatomical Program charges \$1,600 per cadaver plus there is a \$400 disposal cost. The schools would like to have the ability to use funeral homes in the area for the purpose of providing the embalming training. Upon a motion by Mr. Omps, duly seconded by Mr. Nelsen, the Board moved to refer this issue to the Internship Committee for further research. The motion passed unanimously.

Election of Officers:

- Upon nomination by Blair Nelsen, the Board elected Mia Mimms as Secretary-Treasurer. The vote was unanimous.
- Upon nomination by Larry Omps, the Board elected Frank Walton as Vice-President. The vote was unanimous.
- Upon nomination by Mia Mimms, the Board elected Larry Omps as President. The vote was unanimous.

The next meeting date is January 16, 2018.

ADJOURNMENT

With all business concluded, the meeting was adjourned at 12:23 p.m.

Louis R. Jones, FSL, President

Corie Tillman Wolf, Executive Director

Date

Date

EXECUTIVE DIRECTOR'S REPORT

Virginia Department of Health Professions
Cash Balance
As of November 30, 2017

	104- Funeral Directors and Embalmers
Board Cash Balance as June 30, 2017	\$ 380,747
YTD FY18 Revenue	32,530
Less: YTD FY18 Direct and Allocated Expenditures	<u>242,744</u>
Board Cash Balance as November 30, 2017	<u><u>170,533</u></u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2017 and Ending November 30, 2017

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
4002400	Fee Revenue				
4002401	Application Fee	17,190.00	32,620.00	15,430.00	52.70%
4002406	License & Renewal Fee	10,090.00	621,160.00	611,070.00	1.62%
4002407	Dup. License Certificate Fee	200.00	360.00	160.00	55.56%
4002409	Board Endorsement - Out	750.00	3,850.00	3,100.00	19.48%
4002421	Monetary Penalty & Late Fees	1,500.00	4,900.00	3,400.00	30.61%
4002430	Board Changes Fee	2,300.00	7,695.00	5,395.00	29.89%
4002432	Misc. Fee (Bad Check Fee)	-	35.00	35.00	0.00%
	Total Fee Revenue	<u>32,030.00</u>	<u>670,620.00</u>	<u>638,590.00</u>	<u>4.78%</u>
4009000	Other Revenue				
4009060	Miscellaneous Revenue	500.00	310.00	(190.00)	161.29%
	Total Other Revenue	<u>500.00</u>	<u>310.00</u>	<u>(190.00)</u>	<u>161.29%</u>
	Total Revenue	<u>32,530.00</u>	<u>670,930.00</u>	<u>638,400.00</u>	<u>4.85%</u>
5011110	Employer Retirement Contrib.	2,688.88	10,738.00	8,049.12	25.04%
5011120	Fed Old-Age Ins- Sal St Emp	1,523.17	6,090.00	4,566.83	25.01%
5011130	Fed Old-Age Ins- Wage Earners	-	623.00	623.00	0.00%
5011140	Group Insurance	261.11	1,043.00	781.89	25.03%
5011150	Medical/Hospitalization Ins.	6,619.40	35,354.00	28,734.60	18.72%
5011160	Retiree Medical/Hospitalizatn	235.16	940.00	704.84	25.02%
5011170	Long term Disability Ins	131.56	526.00	394.44	25.01%
	Total Employee Benefits	<u>11,459.28</u>	<u>55,314.00</u>	<u>43,854.72</u>	<u>20.72%</u>
5011200	Salaries				
5011230	Salaries, Classified	21,461.72	79,597.00	58,135.28	26.96%
5011250	Salaries, Overtime	837.49	-	(837.49)	0.00%
	Total Salaries	<u>22,299.21</u>	<u>79,597.00</u>	<u>57,297.79</u>	<u>28.02%</u>
5011300	Special Payments				
5011310	Bonuses and Incentives	225.00	450.00	225.00	50.00%
5011340	Specified Per Diem Payment	1,000.00	4,000.00	3,000.00	25.00%
5011380	Deferred Compnstrn Match Pmts	137.00	816.00	679.00	16.79%
	Total Special Payments	<u>1,362.00</u>	<u>5,266.00</u>	<u>3,904.00</u>	<u>25.86%</u>
5011400	Wages				
5011410	Wages, General	-	8,133.00	8,133.00	0.00%
	Total Wages	<u>-</u>	<u>8,133.00</u>	<u>8,133.00</u>	<u>0.00%</u>
5011600	Terminatn Personal Svce Costs				
5011620	Salaries, Annual Leave Balanc	165.72	-	(165.72)	0.00%
	Total Terminatn Personal Svce Costs	<u>165.72</u>	<u>-</u>	<u>(165.72)</u>	<u>0.00%</u>
5011930	Turnover/Vacancy Benefits				
	Total Personal Services	<u>35,286.21</u>	<u>148,310.00</u>	<u>113,023.79</u>	<u>23.79%</u>
5012000	Contractual Svs				
5012100	Communication Services				
5012110	Express Services	25.29	200.00	174.71	12.65%
5012140	Postal Services	488.62	3,500.00	3,011.38	13.96%
5012150	Printing Services	138.87	1,500.00	1,361.13	9.26%
5012160	Telecommunications Svcs (VITA)	92.14	300.00	207.86	30.71%
5012170	Telecomm. Svcs (Non-State)	86.68	-	(86.68)	0.00%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2017 and Ending November 30, 2017

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
5012190	Inbound Freight Services	1.42	-	(1.42)	0.00%
	Total Communication Services	833.02	5,500.00	4,666.98	15.15%
5012200	Employee Development Services				
5012210	Organization Memberships	250.00	1,200.00	950.00	20.83%
5012220	Publication Subscriptions	-	600.00	600.00	0.00%
5012240	Employee Training/Workshop/Conf	-	6,045.00	6,045.00	0.00%
5012250	Employee Tuition Reimbursement	-	1,000.00	1,000.00	0.00%
5012270	Emp Trning- Trns, Ldng & Meals	-	800.00	800.00	0.00%
	Total Employee Development Services	250.00	9,645.00	9,395.00	2.59%
5012400	Mgmnt and Informational Svcs	-			
5012420	Fiscal Services	104.67	9,520.00	9,415.33	1.10%
5012440	Management Services	85.07	120.00	34.93	70.89%
5012470	Legal Services	195.00	150.00	(45.00)	130.00%
	Total Mgmnt and Informational Svcs	384.74	9,790.00	9,405.26	3.93%
5012500	Repair and Maintenance Svcs				
5012530	Equipment Repair & Maint Srvc	586.60	40.00	(546.60)	1466.50%
	Total Repair and Maintenance Svcs	586.60	40.00	(546.60)	1466.50%
5012600	Support Services				
5012640	Food & Dietary Services	75.32	2,100.00	2,024.68	3.59%
5012660	Manual Labor Services	37.68	1,200.00	1,162.32	3.14%
5012670	Production Services	205.74	1,120.00	914.26	18.37%
5012680	Skilled Services	516.26	910.00	393.74	56.73%
	Total Support Services	835.00	5,330.00	4,495.00	15.67%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	3,025.98	5,100.00	2,074.02	59.33%
5012830	Travel, Public Carriers	-	700.00	700.00	0.00%
5012850	Travel, Subsistence & Lodging	106.90	1,600.00	1,493.10	6.68%
5012880	Trvl, Meal Reimb- Not Rprtbl	59.25	750.00	690.75	7.90%
	Total Transportation Services	3,192.13	8,150.00	4,957.87	39.17%
	Total Contractual Svcs	6,081.49	38,455.00	32,373.51	15.81%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013120	Office Supplies	383.43	1,500.00	1,116.57	25.56%
5013130	Stationery and Forms	-	675.00	675.00	0.00%
	Total Administrative Supplies	383.43	2,175.00	1,791.57	17.63%
5013300	Manufctrng and Merch Supplies				
5013350	Packaging & Shipping Supplies	-	85.00	85.00	0.00%
	Total Manufctrng and Merch Supplies	-	85.00	85.00	0.00%
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	-	30.00	30.00	0.00%
5013630	Food Service Supplies	-	90.00	90.00	0.00%
	Total Residential Supplies	-	120.00	120.00	0.00%
5013700	Specific Use Supplies				
5013730	Computer Operating Supplies	-	15.00	15.00	0.00%
	Total Specific Use Supplies	-	15.00	15.00	0.00%
	Total Supplies And Materials	383.43	2,395.00	2,011.57	16.01%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2017 and Ending November 30, 2017

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				
5015160	Property Insurance	-	36.00	36.00	0.00%
	Total Insurance-Fixed Assets	-	36.00	36.00	0.00%
5015300	Operating Lease Payments				
5015340	Equipment Rentals	2.69	-	(2.69)	0.00%
5015350	Building Rentals	6.03	-	(6.03)	0.00%
5015360	Land Rentals	-	15.00	15.00	0.00%
5015390	Building Rentals - Non State	3,569.63	10,040.00	6,470.37	35.55%
	Total Operating Lease Payments	3,578.35	10,055.00	6,476.65	35.59%
5015500	Insurance-Operations				
5015510	General Liability Insurance	-	135.00	135.00	0.00%
5015540	Surety Bonds	-	8.00	8.00	0.00%
	Total Insurance-Operations	-	143.00	143.00	0.00%
	Total Continuous Charges	3,578.35	10,234.00	6,655.65	34.97%
5022000	Equipment				
5022100	Computer Hrdware & Sftware				
5022170	Other Computer Equipment	126.48	-	(126.48)	0.00%
5022180	Computer Software Purchases	193.52	-	(193.52)	0.00%
	Total Computer Hrdware & Sftware	320.00	-	(320.00)	0.00%
5022200	Educational & Cultural Equip				
5022240	Reference Equipment	16.00	-	(16.00)	0.00%
	Total Educational & Cultural Equip	16.00	-	(16.00)	0.00%
5022600	Office Equipment				
5022610	Office Appurtenances	-	132.00	132.00	0.00%
	Total Office Equipment	-	132.00	132.00	0.00%
	Total Equipment	336.00	132.00	(204.00)	254.55%
	Total Expenditures	45,665.48	199,526.00	153,860.52	22.89%
	Allocated Expenditures				
20600	Funeral\LTCA\PT	46,487.86	105,923.30	59,435.44	43.89%
30100	Data Center	29,398.66	109,011.21	79,612.55	26.97%
30200	Human Resources	6,407.91	18,795.11	12,387.20	34.09%
30300	Finance	11,730.60	28,232.40	16,501.80	41.55%
30400	Director's Office	5,145.73	14,259.76	9,114.03	36.09%
30500	Enforcement	69,987.06	160,622.23	90,635.17	43.57%
30600	Administrative Proceedings	9,757.90	28,206.61	18,448.71	34.59%
30700	Impaired Practitioners	59.26	-	(59.26)	0.00%
30800	Attorney General	6,271.27	8,671.75	2,400.48	72.32%
30900	Board of Health Professions	2,811.82	8,104.84	5,293.03	34.69%
31100	Maintenance and Repairs	-	474.46	474.46	0.00%
31300	Emp. Recognition Program	-	302.20	302.20	0.00%
31400	Conference Center	6,404.64	6,615.57	210.93	96.81%
31500	Pgm Devlpmnt & Implmentn	2,615.66	7,955.92	5,340.26	32.88%
	Total Allocated Expenditures	197,078.37	497,175.37	300,096.99	39.64%

Virginia Department of Health Professions
 Revenue and Expenditures Summary
 Department 10400 - Funeral Directors and Embalmers
 For the Period Beginning July 1, 2017 and Ending November 30, 2017

Account Number	Account Description	Amount	Budget	Amount	% of Budget
				Under/(Over) Budget	
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (210,213.85)	\$ (25,771.37)	\$ 184,442.49	815.69%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2017 and Ending November 30, 2017

Account Number	Account Description	July	August	September	October	November	Total
4002400	Fee Revenue						
4002401	Application Fee	4,195.00	4,670.00	3,860.00	2,915.00	1,550.00	17,190.00
4002406	License & Renewal Fee	2,705.00	4,185.00	435.00	1,770.00	995.00	10,090.00
4002407	Dup. License Certificate Fee	50.00	50.00	-	-	100.00	200.00
4002409	Board Endorsement - Out	250.00	100.00	150.00	150.00	100.00	750.00
4002421	Monetary Penalty & Late Fees	175.00	690.00	135.00	385.00	115.00	1,500.00
4002430	Board Changes Fee	1,100.00	400.00	300.00	200.00	300.00	2,300.00
	Total Fee Revenue	8,475.00	10,095.00	4,880.00	5,420.00	3,160.00	32,030.00
4009000	Other Revenue						
4009060	Miscellaneous Revenue	-	500.00	-	-	-	500.00
	Total Other Revenue	-	500.00	-	-	-	500.00
	Total Revenue	8,475.00	10,595.00	4,880.00	5,420.00	3,160.00	32,530.00
5011000	Personal Services						
5011100	Employee Benefits						
5011110	Employer Retirement Contrib.	555.31	347.19	495.78	645.30	645.30	2,688.88
5011120	Fed Old-Age Ins- Sal St Emp	355.22	203.54	308.49	323.20	332.72	1,523.17
5011140	Group Insurance	53.93	33.72	48.14	62.66	62.66	261.11
5011150	Medical/Hospitalization Ins.	1,401.19	884.41	1,174.16	1,579.82	1,579.82	6,619.40
5011160	Retiree Medical/Hospitalizatn	48.56	30.36	43.36	56.44	56.44	235.16
5011170	Long term Disability Ins	27.16	16.98	24.26	31.58	31.58	131.56
	Total Employee Benefits	2,441.37	1,516.20	2,094.19	2,699.00	2,708.52	11,459.28
5011200	Salaries						
5011230	Salaries, Classified	5,015.65	2,649.68	4,229.35	4,783.52	4,783.52	21,461.72
5011250	Salaries, Overtime	136.45	212.98	292.84	35.49	159.73	837.49
	Total Salaries	5,152.10	2,862.66	4,522.19	4,819.01	4,943.25	22,299.21
5011310	Bonuses and Incentives	-	225.00	-	-	-	225.00
5011340	Specified Per Diem Payment	400.00	50.00	300.00	250.00	-	1,000.00
5011380	Deferred Compnstrn Match Pmts	46.00	19.00	24.00	24.00	24.00	137.00
	Total Special Payments	446.00	294.00	324.00	274.00	24.00	1,362.00
5011600	Terminatn Personal Svce Costs						
5011620	Salaries, Annual Leave Balanc	165.72	-	-	-	-	165.72
	Total Terminatn Personal Svce Costs	165.72	-	-	-	-	165.72
	Total Personal Services	8,205.19	4,672.86	6,940.38	7,792.01	7,675.77	35,286.21
5012000	Contractual Svcs						-
5012100	Communication Services						-
5012110	Express Services	-	9.54	15.75	-	-	25.29
5012140	Postal Services	56.72	226.88	28.72	153.87	22.43	488.62
5012150	Printing Services	-	-	138.87	-	-	138.87
5012160	Telecommunications Svcs (VITA)	33.02	34.34	-	-	24.78	92.14
5012170	Telecomm. Svcs (Non-State)	23.64	15.76	15.76	15.76	15.76	86.68

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2017 and Ending November 30, 2017

Account Number	Account Description	July	August	September	October	November	Total
5012190	Inbound Freight Services	-	-	-	1.42	-	1.42
	Total Communication Services	113.38	286.52	199.10	171.05	62.97	833.02
5012200	Employee Development Services						
5012210	Organization Memberships	-	-	250.00	-	-	250.00
	Total Employee Development Services	-	-	250.00	-	-	250.00
5012400	Mgmnt and Informational Svcs						
5012420	Fiscal Services	43.62	30.99	-	19.51	10.55	104.67
5012440	Management Services	-	86.59	-	(1.52)	-	85.07
5012470	Legal Services	-	-	195.00	-	-	195.00
	Total Mgmnt and Informational Svcs	43.62	117.58	195.00	17.99	10.55	384.74
5012500	Repair and Maintenance Svcs						
5012530	Equipment Repair & Maint Srvc	-	-	-	586.60	-	586.60
	Total Repair and Maintenance Svcs	-	-	-	586.60	-	586.60
5012600	Support Services						
5012640	Food & Dietary Services	-	26.81	-	37.77	10.74	75.32
5012660	Manual Labor Services	14.04	8.81	-	3.75	11.08	37.68
5012670	Production Services	82.05	38.74	-	17.05	67.90	205.74
5012680	Skilled Services	-	-	-	258.13	258.13	516.26
	Total Support Services	96.09	74.36	-	316.70	347.85	835.00
5012800	Transportation Services						
5012820	Travel, Personal Vehicle	1,336.44	292.11	726.00	671.43	-	3,025.98
5012850	Travel, Subsistence & Lodging	106.90	-	-	-	-	106.90
5012880	Trvl, Meal Reimb- Not Rprtble	59.25	-	-	-	-	59.25
	Total Transportation Services	1,502.59	292.11	726.00	671.43	-	3,192.13
	Total Contractual Svcs	1,755.68	770.57	1,370.10	1,763.77	421.37	6,081.49
5013000	Supplies And Materials						
5013100	Administrative Supplies						-
5013120	Office Supplies	-	97.29	30.86	88.84	166.44	383.43
	Total Administrative Supplies	-	97.29	30.86	88.84	166.44	383.43
	Total Supplies And Materials	-	97.29	30.86	88.84	166.44	383.43
5015000	Continuous Charges						
5015300	Operating Lease Payments						
5015340	Equipment Rentals	-	-	-	-	2.69	2.69
5015350	Building Rentals	-	2.43	-	-	3.60	6.03
5015390	Building Rentals - Non State	672.40	787.09	688.30	672.40	749.44	3,569.63
	Total Operating Lease Payments	672.40	789.52	688.30	672.40	755.73	3,578.35

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2017 and Ending November 30, 2017

Account Number	Account Description	July	August	September	October	November	Total
	Total Continuous Charges	672.40	789.52	688.30	672.40	755.73	3,578.35
5022000	Equipment						
5022170	Other Computer Equipment	-	-	-	-	126.48	126.48
5022180	Computer Software Purchases	-	67.29	-	126.23	-	193.52
	Total Computer Hrdware & Sftware	-	67.29	-	126.23	126.48	320.00
5022200	Educational & Cultural Equip						
5022240	Reference Equipment	-	-	-	16.00	-	16.00
	Total Educational & Cultural Equip	-	-	-	16.00	-	16.00
	Total Equipment	-	67.29	-	142.23	126.48	336.00
	Total Expenditures	10,633.27	6,397.53	9,029.64	10,459.25	9,145.79	45,665.48
	Allocated Expenditures						
20600	Funeral\LTCA\PT	12,140.65	8,839.23	8,430.40	8,502.64	8,574.95	46,487.86
30100	Data Center	8,780.04	3,010.13	7,669.39	7,019.90	2,919.20	29,398.66
30200	Human Resources	34.02	40.16	39.91	45.67	6,248.15	6,407.91
30300	Finance	3,850.36	1,902.39	2,125.10	1,133.50	2,719.24	11,730.60
30400	Director's Office	1,244.83	937.66	988.65	1,005.51	969.08	5,145.73
30500	Enforcement	20,077.80	13,161.14	12,661.16	12,405.32	11,681.63	69,987.06
30600	Administrative Proceedings	2,866.39	870.01	-	-	6,021.50	9,757.90
30700	Impaired Practitioners	-	-	19.80	19.95	19.51	59.26
30800	Attorney General	-	-	3,135.63	3,135.63	-	6,271.27
30900	Board of Health Professions	722.01	487.18	500.36	545.62	556.64	2,811.82
31400	Conference Center	8.13	15.43	11,953.46	(1,411.74)	(4,160.64)	6,404.64
31500	Pgm Devlpmnt & Implmentn	563.34	470.46	496.15	507.57	578.15	2,615.66
	Total Allocated Expenditures	50,287.59	29,733.78	48,020.02	32,909.57	36,127.41	197,078.37
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (52,445.86)	\$ (25,536.31)	\$ (52,169.66)	\$ (37,948.82)	\$ (42,113.20)	\$ (210,213.85)

COMMITTEE AND BOARD MEMBER REPORTS

Board of Health Professions Full Board Meeting

December 7, 2017

10:00 a.m. - Board Room 4

9960 Mayland Dr, Henrico, VA 23233

In Attendance

Barbara Allison-Bryan, MD, Board of Medicine
Helene D. Clayton-Jeter, OD, Board of Optometry
Kevin Doyle, EdD, LPC, LSATP, Board of Counseling
Yvonne Haynes, LCSW, Board of Social Work
Mark Johnson, DVM, Board of Veterinary Medicine
Allen R. Jones, Jr., DPT, PT, Board of Physical Therapy
Derrick Kendall, NHA, Board of Long-Term Care Administrators
Ryan Logan, RPh, Board of Pharmacy
Martha S. Perry, MS, Citizen Member
Herb Stewart, PhD, Board of Psychology
Laura P. Verdun, MA, CCC-SLP, Board of Audiology & Speech-Language Pathology
James D. Watkins, DDS, Board of Dentistry
James Wells, RPh, Citizen Member
Junius Williams, Jr., MA, Board of Funeral Directors and Embalmers

Absent

Marvin Figueroa, Citizen Member
Trula E. Minton, MS, RN, Board of Nursing
Jacquelyn M. Tyler, RN, Citizen Member

DHP Staff

David Brown, DC, Director DHP
Elizabeth A. Carter, Ph.D., Executive Director BHP
Lisa R. Hahn, MPA, Chief Operating Officer DHP
Jaime Hoyle, Executive Director Behavioral Sciences Boards
Laura L. Jackson, BHSA, Operations Manager BHP
Leslie Knachel, Executive Director for the Boards of Audiology & Speech Language Pathology, Optometry and Veterinary Medicine
Diane Powers, Communications Director DHP
Michelle Schmitz, Enforcement Director DHP
Yetty Shobo, PhD, Deputy Executive Director BHP
Matt Treacy, Communications Associate DHP
Elaine Yeatts, Senior Policy Analyst DHP

Presenters

Yetty Shobo, PhD, Deputy Executive Direct BHP

Michelle Schmitz, Enforcement Director DHP

Speakers

No speakers signed-in

Observers

Gretchen Graves, Virginia Art Therapy Association

Monika Bincholder, Shenandoah Art Therapy, LLC

Laura Tuomisto, Shenandoah Art Therapy, LLC

Leila Saadeh, Virginia Art Therapy Association

Sarah Deaver, Virginia Art Therapy Association

W. Scott Johnson, Medical Society of Virginia

Ryan LaMura, Virginia Hospital and Healthcare Association

Emergency Egress Dr. Carter

Call to Order

Chair: Dr. Clayton-Jeter **Time** 10:03 a.m.

Quorum Established

Public Comment

Discussion

There was no public comment

Approval of Minutes

Presenter Dr. Clayton-Jeter

Discussion

The August 31, 2017 Full Board meeting minutes were approved with no revisions. All members in favor, none opposed.

Directors Report

Presenter Dr. Brown

Discussion

Dr. Brown reported that Secretary Hazel has not requested reappointment and is ready to leave his post after service in two administrations. Dr. Brown did state however that he himself is seeing reappointment to DHP. An overview of the 2017 curricula pain management committee has submitted its report findings to the Governor. Dr. Brown announced that Ms. Hahn is the new agency COO. He stated that the COO position was created to aid in the continuity of agency operations.

Election of Officers - Nominating Committee

Presenter Ms. Haynes, Chair

Discussion

The Nominating Committee met prior to the Full Board meeting to organize a slate of officers for today's Chair and Vice Chair elections. Ms. Haynes stated that Dr. Clayton-Jeter, Dr. Allen Jones, Jr. and Dr. Allison-Bryan submitted their interest in the Chair and Vice Chair positions with the Board of Health Professions. After brief discussion, Ms. Haynes opened nominations from the floor. There were no additional nominations made. Dr. Allison-Bryan withdrew from consideration.

Vote: All members were in favor of reappointment of Dr. Clayton-Jeter as Board Chair and reappointment of Dr. Allen Jones, Jr. as Vice Chair.

Legislative and Regulatory Report

Presenter Ms. Yeatts

Discussion

Ms. Yeatts advised the Board of updates to the laws and regulations that affect DHP currently in the General Assembly.

Enforcement

Presenter Ms. Schmitz

Discussion

Ms. Schmitz provided the Board with a very informative update on the Enforcement Division. Highlights included the new ability to report a complaint online, improvements to the subpoena process, and requests for DHP Enforcement training from the DEA and FBI.

Communications Report

Presenter Dr. Clayton-Jeter

Discussion

Dr. Clayton-Jeter presented the new DHP logo to the Board by way of a PowerPoint presentation. She provided information regarding the process of the logo creation, the design direction and the meaning behind the logo. She stated her enjoyment in working with the VCU design team and DHPs stakeholder group. Dr. Allison-Bryan was also a member of the stakeholder group and voiced her appreciation of the process and the finished product.

Ms. Powers added that DHP will be increasing its brand identity and will be purchasing lanyards, pens and phone screen wipes with the new logo.

Board Chair Report

Presenter Dr. Clayton-Jeter

Discussion

Dr. Clayton-Jeter discussed that this is a new agenda item allowing the Chair the opportunity to discuss items relevant to the functions of the Board. She provided an Employee Fact Sheet that was sent to Federal employees providing information on preventing opioid misuse. She believes this form of relaying information may be helpful at the state level as well.

Executive Directors Report

Presenter Dr. Carter

Board Budget

Dr. Carter stated that the Board is operating under budget.

Agency Performance

Dr. Carter reviewed the agencies performance measures in relation to clearance rate, age of pending caseload and time to disposition.

Sanction Reference Points (SRP) - Update

Four boards are updating their SRP manuals. Dr. Carter also expressed that several boards have been asking about training. A request has been made for Communications to assist by recording a training video that can be used internally and posted on the DHP webpage. Additional in-person training will also be provided upon Board request.

Policies & Procedures

Dr. Carter has requested the assistance of the Regulatory Research Committee in updating the sunrise review policies and procedures. She will be providing a review of methods employed in other states as part of the review process. The Board supported the idea.

Regulatory Research Committee

Presenter Mr. Wells

Mr. Wells provided information regarding the Committee's approval to move forward with the sunrise review request made by the Virginia Art Therapy Association. The Committee approved the proposed workplan presented by Ms. Jackson.

Healthcare Workforce Data Center (DHP HWDC)

Presenter Dr. Shobo

Discussion

Dr. Shobo provided a PowerPoint presentation that she presented at the annual Southern Demographics Association meeting that utilized DHP licensure data. She also advised the Board that DHP HWDC is up

to date on all survey reports and posting of the workforce briefs and is in the process of collecting the survey data from December license renewals.

Lunch break 11:53 p.m. – 1:15 p.m.

Board Reports

Presenter Dr. Clayton-Jeter

Board of Audiology & Speech Language Pathology

Ms. Verdun provided an overview of the Boards activity since its last meeting. (Attachment 1)

Board of Counseling

Dr. Doyle provided an overview of the Boards activities since its last meeting. (attachment 2)

Board of Dentistry

Dr. Watkins provided an overview of the Boards activities since its last meeting. (attachment 3)

Board of Funeral Directors & Embalmers

Mr. Williams provided an overview of the Boards activities since its last meeting (attachment 4)

Board of Long Term Care Administrators

Mr. Kendall provided an overview of the Boards activities since its last meeting. (attachment 5)

Board of Medicine

Dr. Allison Bryan provided an overview of the Boards activities since its last meeting. (attachment 6)

Board of Nursing

Ms. Minton was not in attendance at this meeting. There was no report.

Board of Optometry

Dr. Clayton-Jeter provided an overview of the Boards activities since its last meeting. (attachment 7)

Board of Pharmacy

Mr. Logan provided an overview of the Boards activities since its last meeting. (attachment 8)

Board of Physical Therapy

Dr. Jones, Jr. provided an overview of the Boards activities since its last meeting. (attachment 9)

Board of Psychology

Dr. Stewart provided an overview of the Boards activities since its last meeting. (attachment 10)

Board of Social Work

Ms. Haynes provided an overview of the Boards activities since its last meeting. (attachment 11)

Board of Veterinary Medicine

Dr. Johnson provided an overview of the Boards activities since its last meeting. (attachment 12)

New Business

Presenter Dr. Clayton-Jeter

No new business was discussed.

February 27, 2018 Full Board Meeting

Presenter Dr. Clayton-Jeter

Dr. Clayton-Jeter announced the next Full Board meeting date as February 27, 2018.

Adjourned

Adjourned 12:47 p.m.

Chair Helene Clayton-Jeter, OD

Signature: _____ Date: ____/____/____

Board Executive Director Elizabeth A. Carter, Ph.D.

Signature: _____ Date: ____/____/____

Unapproved

**VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS
Examination Committee Meeting Minutes**

The Examination Committee of the Virginia Board of Funeral Directors and Embalmers convened for a meeting on Tuesday, October 10, 2017 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 2, Henrico, Virginia.

COMMITTEE MEMBERS PRESENT

Frank Walton, FSL, Chair
Mia Mimms, FSL
Larry Omps, FSL

DHP STAFF PRESENT

Corie Tillman Wolf, Executive Director
Lynne Helmick, Deputy Executive Director

CALL TO ORDER

Mr. Walton called the Examination Committee meeting of the Virginia Board of Funeral Directors and Embalmers to order at 1:14 p.m.

CLOSED SESSION:

Upon a motion by Mr. Omps, and duly seconded by Mr. Walton, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(12) of the Code of Virginia, for the purpose of reviewing the Board's state examination questions. Additionally, she moved that Ms. Tillman Wolf and Ms. Helmick attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions. The Committee entered into closed session at 1:15 p.m.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session at 4:12 p.m.

ADJOURNMENT:

With no further business before the Board, the meeting adjourned at 4:12 p.m.

Frank Walton, FSL, Chair

Corie Tillman Wolf, Executive Director

Date

Date

UNAPPROVED MEETING MINUTES
VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS
AD HOC COMMITTEE ON FUNERAL INTERNSHIPS

The Virginia Board of Funeral Directors & Embalmers Ad Hoc Committee on Funeral Internships met on Thursday, December 7, 2017 at the Department of Health Professions, 9960 Mayland Drive, 2nd Floor, Training Room #2, Henrico, Virginia.

COMMITTEE MEMBERS PRESENT:

Blair H. Nelsen, FSL, Board Member, Committee Chair
R. Thomas Slusser, Jr., FSL, Board Member
Junius H. Williams, Jr., Board Member

DHP STAFF PRESENT:

Corie E. Tillman Wolf, Executive Director
Elaine Yeatts, Senior Policy Analyst
Heather Wright, FDE Program Manager

CALL TO ORDER:

The Ad Hoc Committee on Funeral Internships meeting was called to order at 1:10 p.m.

PUBLIC COMMENT:

No public comments were made.

DISCUSSION:

Funeral Service Internship Program

Consideration of Revisions to NOIRA – Funeral Service Intern Regulations

Ms. Tillman Wolf provided Committee members with information on the concerns raised regarding the proposed renewal fee for intern supervisors in the NOIRA for changes to the intern regulations. The NOIRA package is currently on hold at the Governor's Office pending the Board's reconsideration of the fee issue. Ms. Yeatts suggested that a possible resolution to having a new renewal fee would be to require that the supervisor apply with each internship and, consequently, be required to pay the current fee with each application. The supervisor's registration related to the specified intern would expire at the end of four years, or at the termination or completion of the internship, whichever occurs first. These changes could be accomplished by a possible amendment to subsection A of 18VAC65-40-280. The Committee members discussed the proposal and agreed to present the recommendation to the full Board at the next Board meeting in January 2018.

Revisions to Reporting Forms

Committee members reviewed and discussed staff drafts of intern reporting forms that incorporated proposed changes previously discussed by the Committee. Committee members made

recommendations for additional changes to the forms for reporting of the first, second, and third 1,000 hours of internship and the Report of Completion. Committee members agreed that the draft forms, as revised, be presented to the full Board at the next Board meeting.

Funeral Internship Supervisor Training

Mr. Nelsen provided information from the Model Internship Committee of the International Conference of Funeral Service Examining Boards related to a discussion of a proposed supervisor training program. Committee members discussed whether training for supervisors should be required or encouraged and, if so, what training and by whom. Mr. Nelsen stated that Iowa has a training program for funeral service interns. Committee members further discussed that Board staff could reach out to the professional associations about the possibility of sponsoring a laws and regulations CE training session specifically on the laws and regulations related to funeral internships and intern supervisors. Ms. Tillman Wolf will research the Iowa training program and supervisor trainings offered by other states/boards and will follow up with the professional associations about possible laws and regulations-related training sessions.

Committee members further discussed potential areas of training for interns and supervisors related to the funeral establishment setting, including unprofessional behavior related to sexual harassment or conduct in the workplace. Ms. Yeatts stated that, while other boards have regulations related to unprofessional and inappropriate conduct by licensees who supervise students or trainees, the Board’s regulations currently do not include any provisions to this effect. Ms. Yeatts and Ms. Tillman Wolf will review potential regulatory language related to inappropriate conduct directed at interns or students and bring that language to the Board for its consideration.

Embalming by Funeral Service Students at Funeral Establishments

Ms. Yeatts and Ms. Tillman Wolf provided an explanation of the issue of permitting funeral service students to conduct or to assist with embalmings at funeral establishments. Committee members discussed what limitations may be put in place if this issue is brought forward as legislation in the 2018 General Assembly session. If such legislation is passed, Committee members recommended that the Board consider that related regulations address disclosure to and/or express permission from a family regarding the assistance of students in the embalming process, the immediate, physical presence of a licensee supervising the student, requirements for the supervisor and training site, and possible limitations on when students could participate in embalming during their course of study.

ADJOURNMENT:

The Committee meeting was adjourned at 2:35 p.m.

Blair Nelsen, FSL, Chair

Corie E. Tillman Wolf, Executive Director

Date

Date

COMMONWEALTH OF VIRGINIA

Board of Funeral Directors and Embalmers

Perimeter Center – 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233-1463

Phone: 804-367-4479 FAX: 804-527-4413

Website: www.dhp.virginia.gov 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	<input type="checkbox"/> YES	<input type="checkbox"/> NO
B) Federal Laws: FTC, OSHA, ADA	<input type="checkbox"/> YES	<input type="checkbox"/> NO
C) Vital Statistics and Post-Mortem Regulations	<input type="checkbox"/> YES	<input type="checkbox"/> NO
D) Merchandise/Merchandising	<input type="checkbox"/> YES	<input type="checkbox"/> NO
E) Funeral Arranging (At Need & Preneed with families)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
F) Cremation Laws	<input type="checkbox"/> YES	<input type="checkbox"/> NO
G) Funeral Directing	<input type="checkbox"/> YES	<input type="checkbox"/> NO
H) Preneed Funeral Laws	<input type="checkbox"/> YES	<input type="checkbox"/> NO
I) General Business Procedures	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Funeral Arrangements and Removals	Training	
A) First Calls/Removals	<input type="checkbox"/> YES	<input type="checkbox"/> NO
B) Assisting in Funeral Arrangements	<input type="checkbox"/> YES	<input type="checkbox"/> NO
C) Funeral Services (Memorial Services, Graveside Services, etc.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
D) Visitations	<input type="checkbox"/> YES	<input type="checkbox"/> NO
E) Cremation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
F) Administrative Duties (Filing Death Certificates, paperwork, etc.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
G) Other Duties (Explain)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Care and Preparation of Body	Training	
A) Anatomy	<input type="checkbox"/> YES	<input type="checkbox"/> NO
B) Restorative Art	<input type="checkbox"/> YES	<input type="checkbox"/> NO
C) Safety and Sanitation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
D) Embalming and Proficiency	<input type="checkbox"/> YES	<input type="checkbox"/> NO
E) Biohazard Awareness, OSHA	<input type="checkbox"/> YES	<input type="checkbox"/> NO
F) Organ/Tissue Donation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
G) Anatomical Donation	<input type="checkbox"/> YES	<input type="checkbox"/> NO

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SECOND 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	<input type="checkbox"/> YES	<input type="checkbox"/> NO
B) Federal Laws: FTC, OSHA, ADA	<input type="checkbox"/> YES	<input type="checkbox"/> NO
C) Vital Statistics and Post-Mortem Regulations	<input type="checkbox"/> YES	<input type="checkbox"/> NO
D) Merchandise/Merchandising	<input type="checkbox"/> YES	<input type="checkbox"/> NO
E) Funeral Arranging (At Need & Preneed with families)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
F) Cremation Laws	<input type="checkbox"/> YES	<input type="checkbox"/> NO
G) Funeral Directing	<input type="checkbox"/> YES	<input type="checkbox"/> NO
H) Preneed Funeral Laws	<input type="checkbox"/> YES	<input type="checkbox"/> NO
I) General Business Procedures	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Funeral Arrangements and Removals	Training	
A) First Calls/Removals	<input type="checkbox"/> YES	<input type="checkbox"/> NO
B) Assisting in Funeral Arrangements	<input type="checkbox"/> YES	<input type="checkbox"/> NO
C) Funeral Services (Memorial Services, Graveside Services, etc.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
D) Visitations	<input type="checkbox"/> YES	<input type="checkbox"/> NO
E) Cremation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
F) Administrative Duties (Filing Death Certificates, paperwork, etc.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
G) Other Duties (Explain)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Care and Preparation of Body	Training	
A) Anatomy	<input type="checkbox"/> YES	<input type="checkbox"/> NO
B) Restorative Art	<input type="checkbox"/> YES	<input type="checkbox"/> NO
C) Safety and Sanitation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
D) Embalming and Proficiency	<input type="checkbox"/> YES	<input type="checkbox"/> NO
E) Biohazard Awareness, OSHA	<input type="checkbox"/> YES	<input type="checkbox"/> NO
F) Organ/Tissue Donation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
G) Anatomical Donation	<input type="checkbox"/> YES	<input type="checkbox"/> NO

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THIRD 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 Proficiency.** Each intern must receive training in the following areas during the course of their internship. Did the intern **demonstrate proficiency** in these areas during this reporting period?

Laws & Business Practices	Proficiency
A) Virginia Laws and Regulations	<input type="checkbox"/> YES <input type="checkbox"/> NO
B) Federal Laws: FTC, OSHA, ADA	<input type="checkbox"/> YES <input type="checkbox"/> NO
C) Vital Statistics and Post-Mortem Regulations	<input type="checkbox"/> YES <input type="checkbox"/> NO
D) Merchandise/Merchandising	<input type="checkbox"/> YES <input type="checkbox"/> NO
E) Funeral Arranging (At Need & Preneed with families)	<input type="checkbox"/> YES <input type="checkbox"/> NO
F) Cremation Laws	<input type="checkbox"/> YES <input type="checkbox"/> NO
G) Funeral Directing	<input type="checkbox"/> YES <input type="checkbox"/> NO
H) Preneed Funeral Laws	<input type="checkbox"/> YES <input type="checkbox"/> NO
I) General Business Procedures	<input type="checkbox"/> YES <input type="checkbox"/> NO
Funeral Arrangements and Removals	Proficiency
A) First Calls/Removals	<input type="checkbox"/> YES <input type="checkbox"/> NO
B) Assisting in Funeral Arrangements	<input type="checkbox"/> YES <input type="checkbox"/> NO
C) Funeral Services (Memorial Services, Graveside Services, etc.)	<input type="checkbox"/> YES <input type="checkbox"/> NO
D) Visitations	<input type="checkbox"/> YES <input type="checkbox"/> NO
E) Cremation	<input type="checkbox"/> YES <input type="checkbox"/> NO
F) Administrative Duties (Filing Death Certificates, paperwork, etc.)	<input type="checkbox"/> YES <input type="checkbox"/> NO
G) Other Duties (Explain)	<input type="checkbox"/> YES <input type="checkbox"/> NO
Care and Preparation of Body	Proficiency
A) Anatomy	<input type="checkbox"/> YES <input type="checkbox"/> NO
B) Restorative Art	<input type="checkbox"/> YES <input type="checkbox"/> NO
C) Safety and Sanitation	<input type="checkbox"/> YES <input type="checkbox"/> NO
D) Embalming and Proficiency	<input type="checkbox"/> YES <input type="checkbox"/> NO
E) Biohazard Awareness, OSHA	<input type="checkbox"/> YES <input type="checkbox"/> NO
F) Organ/Tissue Donation (if training was provided)	<input type="checkbox"/> YES <input type="checkbox"/> NO
G) Anatomical Donation (if training was provided)	<input type="checkbox"/> YES <input type="checkbox"/> 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.)

A) Funeral Arrangements	
B) 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

*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.

Signature of Funeral Service Intern Date _____

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.

Signature of Supervisor Date _____

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FUNERAL INTERNSHIP – REPORT OF 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

Revised 1/__/18

LEGISLATION AND REGULATORY ACTIONS

Agenda Item: Board Action – Re-adoption of NOIRA

Staff Note:

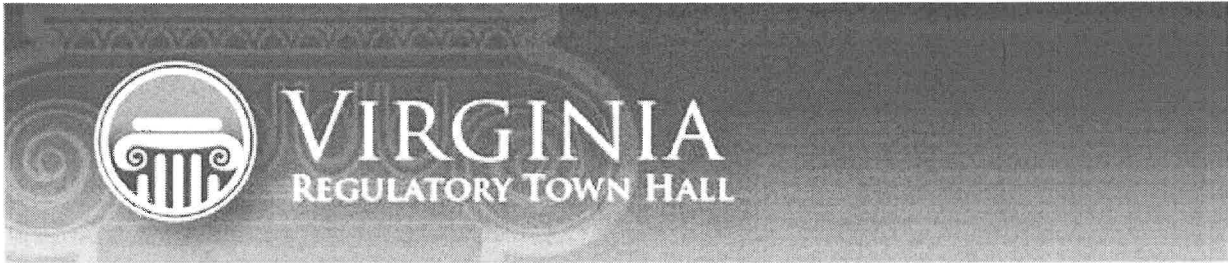
The Governor's office informed Board staff that it would not approve the NOIRA that included a renewal fee for registration of supervisors for funeral interns. Accordingly, the Funeral Intern subcommittee is recommending that the registration fee remain the same with no renewal required, but that the registration be time-limited to the duration of an internship (60 months or completion of training, whichever comes first.)

Included in your package are:

A copy of a DRAFT Notice of Intended Regulatory Action

Action:

Motion to withdraw the NOIRA adopted at the July board meeting and adopt the draft NOIRA document included in the agenda package.



townhall.virginia.gov

Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Board of Funeral Directors and Embalmers, Department of Health Professions
Virginia Administrative Code (VAC) citation(s)	18VAC65-40-10 et seq.
Regulation title(s)	Regulations for the Funeral Service Intern Program
Action title	More accountability for funeral service interns
Date this document prepared	8/25/17

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Subject matter and intent

Please describe briefly the subject matter, intent, and goals of the planned regulatory action.

The Board of Funeral Directors and Embalmers has adopted a recommendation of the Ad Hoc Committee on Funeral Interns that a Notice of Intended Regulatory Action be initiated to do the following: 1) amend 18VAC65-40-130 (A) to indicate training should be completed within not less than 18 months nor more than 60 months, and that the Board would only consider extensions for extenuating circumstances; 2) require supervisors to register for supervision of a funeral service intern with an expiration for the registration of 60 months or at the completion of the intern's training, whichever occurs first in order to allow the Board to track active supervisors and make sure supervisors are in good standing; and 3) add a regulation requiring that interns be identified to the public as interns in titles, correspondence, and communications with the public.

Legal basis

Please identify the (1) the agency (includes any type of promulgating entity) and (2) the state and/or federal legal authority for the proposed regulatory action, including the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable. Your citation should include a specific provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

18VAC65-40-10 et seq. Regulations for the Funeral Service Intern Program are promulgated under the general authority of Chapter 24 of Title 54.1 of the Code of Virginia. Section 54.1-2400 (6) provides the Board with authority to promulgate regulations to administer the regulatory system:

§ 54.1-2400 -General powers and duties of health regulatory boards

The general powers and duties of health regulatory boards shall be:

...

6. *To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 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 (§ 54.1-100 et seq.) and Chapter 25 (§ 54.1-2500 et seq.) of this title.*

Authority for the Board to take disciplinary action for failure to adequately supervise funeral service interns is found in:

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

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: ...

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;*

Authority to regulation funeral service interns is found in:

§ 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 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.

Purpose

Please describe the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. In addition, please explain any potential issues that may need to be addressed as the regulation is developed.

The purpose of this regulatory action is to provide clear, enforceable regulations for the supervision and practice of interns, so that interns and funeral homes are not misleading the public about their status and that they are being appropriately supervised to protect the public health and safety in the handling of human remains.

Substance

Please briefly identify and explain the new substantive provisions that are being considered, the substantive changes to existing sections that are being considered, or both.

The Board intends to make the following changes to regulations: 1) amend 18VAC65-40-130 (A) to indicate training should be completed within not less than 18 months nor more than 60 months, and that the Board would only consider extensions for extenuating circumstances; 2) require supervisors to register for supervision of a funeral service intern with an expiration for the registration of 60 months or at the completion of the intern’s training, whichever occurs first in order to allow the Board to track active supervisors and make sure supervisors are in good standing; and 3) add a regulation requiring that interns be identified to the public as interns in titles, correspondence, and communications with the public.

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. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

The Board has considered the use of guidance documents but believes definitive rules are necessary for public health and safety.

Public participation

Please indicate whether the agency is seeking comments on the intended regulatory action, including ideas to assist the agency in the development of the proposal and the costs and benefits of the alternatives stated in this notice or other alternatives. Also, indicate whether a public hearing is to be held to receive comments. Please include one of the following choices: 1) a panel will be appointed and the agency's contact if you're interested in serving on the panel is _____; 2) a panel will not be used; or 3) public comment is invited as to whether to use a panel to assist in the development of this regulatory proposal.

The agency is seeking comments on this regulatory action, including but not limited to: ideas to be considered in the development of this proposal, the costs and benefits of the alternatives stated in this background document or other alternatives, and the potential impacts of the regulation.

The agency is also seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include: projected reporting, recordkeeping, and other administrative costs; the probable effect of the regulation on affected small businesses; and the description of less intrusive or costly alternatives for achieving the purpose of the regulation.

Anyone wishing to submit comments may do so via the Regulatory Town Hall website (<http://www.townhall.virginia.gov>), or by mail, email, or fax to Elaine Yeatts at Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233 or elaine.yeatts@dhp.virginia.gov or by fax to (804) 527-4434. Written comments must include the name and address of the commenter. In order to be considered, comments must be received by midnight on the last day of the public comment period.

A public hearing will be held following the publication of the proposed stage of this regulatory action and notice of the hearing will be posted on the Virginia Regulatory Town Hall website (<http://www.townhall.virginia.gov>) and on the Commonwealth Calendar website (<https://www.virginia.gov/connect/commonwealth-calendar>). Both oral and written comments may be submitted at that time.

The Board will not convene a regulatory advisory panel but will hear and consider comment at any meeting at which this subject matter will be discussed.