
****Refer to Page 3 of the Agenda for Meeting Access Information****

Call to Order – Mia Mimms, FSL, Board President

- Welcome and Introductions
 - Mission of the Board
-

Approval of Minutes (p. 4-32)

- Board Meeting – October 10, 2019
 - Formal Hearing – February 26, 2020
 - Public Hearings – March 10, 2020
 - For informational purposes – Informal Conferences November 20, 2019 and March 10, 2020
-

Ordering and Approval of Agenda

Public Comment

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

****For more information and instructions related to public comment, please refer to page 3 of the Agenda****

Agency Report – David E. Brown, D.C., Director

Board Counsel Report – Erin Barrett, Assistant Attorney General

Presentations and Discussion Items

- Mass Fatality Task Force – **Glenn McBride, COVID-19 Emergency Coordinator, Office of the Chief Medical Examiner** (p. 34)
 - 2020 Funeral Service Provider Workforce Report - **Elizabeth A. Carter, Ph.D. and Yetty Shobo, Ph.D., Healthcare Workforce Data Center** (p.41-68)
-

Legislation and Regulatory Actions – Elaine Yeatts, Senior Policy Analyst/Corie Tillman Wolf

- Policy Updates – Electronic Meeting Policy (Emergency and Statutory) (p. 70)
 - Legislative/Regulatory Updates
 - 2020 Legislative Update (p. 73)
 - SB 1044: Funeral Directors and Embalmers; Board to Promulgate Regulations for Licensure
 - Plan to Convene Regulatory Advisory Panel (“RAP”)
 - Report of Regulatory Actions
 - Board Discussion and Actions
 - Adoption of Final Regulations from Periodic Review – Regulations Governing the Practice of Funeral Directors and Embalmers (18 VAC 65-20-10 et seq.) and Regulations for Preneed Funeral Planning (18VAC 65-30-10 et seq.) (p. 79)
 - Adoption of Revisions to Bylaws of the Board (*Guidance Document 65-10*) (p. 128)
 - Adoption of Revisions to Guidance Document 76-21.3.1, Funeral Inspection Report (p. 135)
-
-

Committee and Board Member Reports (p.145)

- Board President’s Report – **Mia Mimms, FSL**
 - Report from the Board of Health Professions – **Louis R. Jones, FSL**
 - Updates from the Conference Annual Meeting – **Mia Mimms, FSL, and Blair Nelsen, FSL**
 - Report on the National Board Examination (NBE) – **Blair Nelsen, FSL**
-
-

Staff Reports (p. 150)

- Executive Director’s Report – **Corie E. Tillman Wolf, Executive Director**
 - Discipline Report – **Kelley Palmatier, Deputy Executive Director**
 - Licensing Report – **Sarah Georgen, Licensing and Operations Manager**
-
-

Next Meeting – October 6, 2020

Meeting Adjournment

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

Virginia Board of Funeral Directors and Embalmers
Instructions for Accessing July 14, 2020 Virtual Quarterly Board
Meeting and Providing Public Comment

- **Access:** Perimeter Center building access remains restricted to the public due to the COVID-19 pandemic. To observe this virtual meeting, use one of the options below. Participation capacity is limited and is on a first come, first serve basis due to the capacity of CISCO WebEx technology.
- **Written Public Comment:** Written comments are **strongly preferred** due to the limits of the electronic meeting platform and should be received by email to Corie.Wolf@dhp.virginia.gov no later than 12:00 noon on July 13, 2020. The written comments will be made available to the Board members for review prior to the meeting.
- **Oral Public Comment:** Oral comments will be received during the full board meeting from persons who have submitted an email to Corie.Wolf@dhp.virginia.gov no later than 12:00 noon on July 13, 2020 indicating that they wish to offer oral comment. Comment may be offered by these individuals when their name is announced by the Board President. Comments will be restricted to 2 minutes each; the maximum allotted time for public comment will be 30 minutes.
- Public participation connections will be muted following the public comment period.
- Should the Board enter into a closed session, public participants will be blocked from seeing and hearing the discussion. When the Board re-enters into open session, public participation connections to see and hear the discussions will be restored.
- Please call from a location without background noise.
- Dial (804) 367-4479 to report an interruption during the broadcast.
- FOIA Council Electronic Meetings Public Comment form for submitting feedback on this electronic meeting may be accessed at <http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>

JOIN BY AUDIO ONLY

1-408-418-9388

Meeting number (access code): 132 231 4233

Meeting password: 73686693

JOIN THE INTERACTIVE MEETING:

Click or copy one of the links below:

<https://virginia-dhp.my.webex.com/virginia-dhp.my/j.php?MTID=m80d883462c266c97091f8e2612a17cb3>

Approval of Minutes

October 10, 2019

The Virginia Board of Funeral Directors and Embalmers convened for a full board meeting on Thursday, October 10, 2019 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Joseph Frank Walton, FSL, President
Mia F. Mimms, FSL, JD, Vice-President
R. Thomas Slusser, Jr., FSL, Secretary-Treasurer
Kenneth Scott Hickey, M.D., Citizen Member
Louis R. Jones, FSL
Blair H. Nelsen, FSL
Connie B. Steele, FSL

BOARD MEMBERS ABSENT:

Muhammad Hanif, Citizen Member
Larry T. Omps, FSL

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Barbara Allison-Bryan, M.D., Deputy Director, DHP
Christina Bargdill, Quality Assurance and Staff Development Manager, DHP Enforcement Division
Erin Barrett, Assistant Attorney General, Board Counsel
David Brown, D.C., Director, DHP
Sarah Georgen, Licensing and Operations Manager
Lisa Hahn, Chief Operations Officer
Kelley Palmatier, Deputy Executive Director
Corie Tillman Wolf, Executive Director
Heather Wright, Program Manager
Elaine Yeatts, Sr. Policy Analyst

OTHER GUESTS PRESENT

Jim Dickerson*
Bo Keeney, Association of Independent Funeral Homes of Virginia
Bruce Keeney, Association of Independent Funeral Homes of Virginia
Barry Robinson, Virginia Mortician's Association
Larry Spiaggi, Morrisett Funeral and Cremation Service*
Lacy Whittaker, Virginia Funeral Directors' Association

**participant indicates attendance to count toward continuing education requirements*

CALL TO ORDER

Mr. Walton called the meeting to order at 10:01 a.m. and asked the Board members and staff to introduce themselves.

With seven members present at the meeting, a quorum was established.

Mr. Walton read the mission of the Board, which is also the mission of the Department of Health Professions.

Mr. Walton provided reminders to the Board members and audience regarding microphones, sign in sheets, computer agenda materials, attendance for continuing education requirements, and breaks.

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF MINTUES

Upon a *MOTION* by Mr. Jones, and properly seconded by Mr. Nelsen, the Board voted to accept the July 11, 2019 Board meeting minutes and the September 24, 2019 Legislative/Regulatory Committee meeting minutes. The motion passed unanimously.

ORDERING OF THE AGENDA

Mr. Nelsen requested to provide an update of his attendance at the International Conference of Funeral Service Examining Boards during the Committee and Board Member Reports.

Ms. Tillman Wolf stated that Christina Bargdill, Quality Assurance and Staff Development Manager, DHP Enforcement Division would provide the presentation on the Overview of the DHP Enforcement Division.

Upon a *MOTION* by Ms. Steele, and properly seconded by Mr. Slusser, the Board voted to accept the agenda as amended. The motion passed unanimously.

PUBLIC COMMENT

Barry Robinson, Virginia Morticians Association (“VMA”), thanked Board staff for their upcoming presentation and participation in the VMA Day of Training event in November 2019. He wished the Board well for the upcoming holidays.

Larry Spiaggi, Morrissett Funeral and Cremation Service, provided information to the Board regarding concerns recently expressed by the National Funeral Directors Association (NFDA) related to the National Board Exam administered by The International Conference of Funeral Service Examining Boards. Mr. Spiaggi expressed the NFDA’s concerns structure of the current exam, such that the NFDA was exploring the possibility of creating another exam. He further expressed NFDA’s concerns regarding ADA and/or ESL accommodations for applicants and the need to resubmit information regarding accommodations for review for taking the national exam.

AGENCY REPORT – David Brown, D.C., Director, DHP

Dr. Brown stated that the Department of Health Professions (“DHP”) held an annual Board Member Training event on October 7, 2019, which was well received by Board members. He thanked the DHP staff and Board Counsel for their participation. He welcomed further feedback from the Board members.

Mr. Jones stated that the training was one of the best he had attended. Mr. Slusser and Ms. Steele voiced their appreciation.

Dr. Brown provided an update to the Board regarding a letter received from W. Scott Johnson, Hancock, Daniel & Johnson, PC, requesting updated information on bifurcated licensure. He provided the Board with a response to Mr. Johnson from Dr. Elizabeth Carter, Executive Director of the Board of Health Professions, which provided updated data from the Healthcare Workforce Data Center’s 2019 Funeral Service Provider Workforce Report.

Dr. Brown announced the National Drug Take Back Day for October 26, 2019. He encouraged Board members and the public to participate in this event by disposing of their medications in a safe and environmentally friendly way. He stated that local collections sites could be found by visiting the Drug Enforcement Administration (“DEA”) [website](#).

Dr. Brown asked Ms. Hahn to update the Board regarding the upcoming building security measures. Ms. Hahn reported that the building tenants have worked with the Henrico and Virginia State Police to assess the building and have identified several possible changes including the relocation of the security desk, purchasing walk-through metal detectors, bag and wand screening. She stated that she anticipates the implementation of these changes by the end of 2019.

Ms. Tillman Wolf advised Board members that the current use of Board member badges for meetings and hearings only would remain the same. Board members will be asked to provide identification and sign-in to the building for meetings and hearings. Board staff will provide security with a list of Board members.

With no questions, Dr. Brown and Ms. Hahn concluded their reports.

PRESENTATION

Overview of the DHP Enforcement Division, Christina Bargdill

Mr. Walton welcomed Christina Bargdill, Quality Assurance and Staff Development Manager, to provide an overview of the DHP Enforcement Division.

STAFF REPORTS

Executive Director’s Report –Corie E. Tillman Wolf

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of August 31, 2019.

Cash Balance as of June 30, 2019	\$674,414
----------------------------------	-----------

YTD FY20 Revenue	\$ 16,615
<u>Less YTD Direct & In-Direct Expenditures</u>	<u>\$124,906</u>
Cash Balance as of August 31, 2019	\$566,123

Updates

Ms. Tillman Wolf updated the Board on items from the International Conference of Funeral Service Examining Boards (“The Conference”). She stated that she is participating on the Model Application Review Committee to assess possible revisions to the current model forms. Recommendations would be provided at The Conference’s Annual Meeting in February 2020. Mr. Nelsen added that travel grants would be available to interested sitting Board or staff members.

She reported that The Conference has accepted a training proposal titled “Virginia’s Sanctioning Reference Points System – Maintaining Consistency in Discipline,” which will be presented at the Annual Meeting by Ms. Tillman Wolf and Mr. Nelsen.

Ms. Tillman Wolf reported that the DHP Board Member Training was held on October 7, 2019. She requested that any Board member unable to attend the training should complete the training module online at <http://ethics.dls.virginia.gov/>.

Ms. Tillman Wolf reported on the Hardship Waiver legislation that became effective July 1, 2019. She stated that, to date, no applications have been received by the Board requesting a waiver.

Ms. Tillman Wolf announced that Board staff had begun the continuing education audit on October 1, 2019 and that the final data on the audit would be presented to the Board at the next meeting.

Ms. Tillman Wolf reported on recent reports from licensees about fraudulent communications from individuals claiming to be from licensing boards or the Drug Enforcement Administration. An email was sent to all licensees regarding the scam calls and emails to make them aware of this concern.

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

Licensure Statistics – All Licenses

License	October 8, 2019	July 10, 2019	Difference (+/-)
Funeral Service Licensees	1,536	1,518	18
Funeral Director	36	36	--
Embalmer Only	2	2	--
Supervisors	575	568	7
Interns	191	186	5
Establishments	423	420	3

Branch Establishments	83	79	4
Crematories	116	115	1
CE Providers	12	12	--
Courtesy Card Holders	119	110	9
Surface Transport & Removal Svc.	45	44	1
Total (*not incl. supervisors)	2,563	2,522	41

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

- Q1 2019 – 100%
- Q2 2019 – 100%
- Q3 2019 – 100%
- Q4 2019 – 100%

Ms. Tillman Wolf provided reminders to the Board members regarding continuing education credit, traveling on Board business, requests for presentations, and changes in contact information.

The Board meeting dates for 2020 are:

- January 14, 2020
- April 16, 2020
- July 14, 2020
- October 6, 2020

With no questions, Ms. Tillman Wolf ended her report.

Discipline Report – Kelley Palmatier, Deputy Executive Director

As of October 4, 2019, Ms. Palmatier reported the following disciplinary statistics:

- 50 total cases
 - 2 at Informal
 - 0 at Formal
 - 17 at Enforcement
 - 31 in Probable Cause
 - 8 in Compliance Monitoring

Ms. Palmatier stated that the Clearance Rate was 75% (Goal is 100%) – 4 cases received, 3 cases closed. Ms. Palmatier stated that the pending caseload over 250 days was 4% (Goal under 20%) – 1 case pending over 250 days. Ms. Palmatier stated that the cases closed within 250 days is 100% (Goal is over 90%) – 3 cases closed within 250 days.

Ms. Palmatier reported the following Total Cases Received and Closed:

- Q1 2017 – 8/10
- Q2 2017 – 12/17
- Q3 2017 – 9/15
- Q4 2017 – 22/20
- Q1 2018 – 12/14
- Q2 2018 – 8/7
- Q3 2018 – 12/18
- Q4 2018 – 13/24
- Q1 2019 – 26/13
- Q2 2019 – 23/6
- Q3 2019 – 18/25
- Q4 2019 – 10/16

Percentage of all cases closed in 365 days

	Q3-18	Q4-18	Q1-19	Q2-19	Q3-19	Q4-19
FDE	61.1%	87%	69.2%	83.3%	100%	73.3%
Agency	87.6%	80.6%	85.5%	84%	76.4%	82.3%

Average age of cases closed

	Q3-18	Q4-18	Q1-19	Q2-19	Q3-19	Q4-19
FDE	383.3	211.8	225.7	298.8	116	259
Agency	196.4	201.1	173.8	169.2	258	204

Ms. Tillman Wolf clarified that the Board provided two different clearance rates during the presentation regarding the standard of care and total cases received. The key performance measures track patient care cases only. She stated that most cases received by the Board are non-patient care cases and that the Board is closing more cases than they are receiving on a normal basis.

With no questions, Ms. Palmatier concluded her report.

BOARD COUNSEL REPORT – Erin Barrett, Assistant Attorney General

Ms. Barrett reminded Board members that they should refrain from the discussion of board-related business outside of a scheduled Board meeting to ensure that they are in compliance with the Freedom of Information Act (FOIA). She advised Board members to contact Board staff regarding any questions or concerns regarding agenda items, attendance, etc.

COMMITTEE AND BOARD MEMBER REPORTS

Report from the Board of Health Professions – Louis R. Jones, FSL

Mr. Jones stated that the minutes from the Board of Health Professions’ last meeting were included in the agenda packet. He reported that the Board of Health Professions recommended establishing a regulatory process for licensing music therapists and reported that more information would be provided throughout the process.

Report from the Legislative/Regulatory Committee – Mia Mimms, FSL

Ms. Mimms stated that the minutes from the Legislative/Regulatory Committee meeting were included in the agenda packet. Ms. Mimms provided an overview of the meeting.

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

Mr. Nelsen stated that Ms. Tillman Wolf had provided a complete update during her report to the Board and did not have any other information to provide.

BREAK

The Board took a break at 10:59 a.m. The Board reconvened at 11:15 a.m.

LEGISLATION AND REGULATORY ACTIONS

Report on Status of Regulatory Actions

Ms. Yeatts reported the Regulatory Actions status for the Board. She stated that the Regulations of the Board of Funeral Directors and Embalmers were being reviewed by the Governor's Office, and stated that the Regulations for Preneed Funeral Planning and the Regulations for the Funeral Service Intern Program would be reviewed later in the agenda.

Consideration of Recommendations of Legislative/Regulatory Committee

Adoption of Proposed Regulations from Periodic Review – Regulations for Preneed Funeral Planning (18VAC65-30-10 et seq.)

Ms. Yeatts reviewed the recommendations of the Legislative/Regulatory Committee related to the Periodic Review of the Regulations for Preneed Funeral Planning (18VAC65-30-10 et seq.). The Board discussed the recommendations.

Mr. Nelsen requested that the Board consider a guidance document regarding maintaining updated and accurate information on the listing for preneed contracts. Ms. Yeatts agreed a guidance document could be appropriate at a later date.

Upon a **MOTION** by Mr. Jones, which was properly seconded by Ms. Mimms, the Board voted to adopt the proposed amendments from the Periodic Review related to the Regulations for Preneed Funeral Planning under 18VAC65-30-10 et seq. as amended by the Board. The vote was unanimous. (Attachment A)

Approval of Revisions to Appendix I, II, III (18VAC65-20-10 et seq.)

Ms. Yeatts reviewed the recommendations of the Legislative/Regulatory Committee for revisions to Appendix I, II, III (18VAC65-20-10 et seq.). The Board discussed the recommendations.

Upon a **MOTION** by Mr. Slusser, which was properly seconded by Dr. Hickey, the Board voted to approve the changes to Appendix I, Appendix II, and Appendix III under 18VAC65-20-10 et seq. as amended by the Board. The vote was unanimous. (Attachment B)

Adoption of Proposed Regulations from Periodic Review – Regulations for the Funeral Service Internship Program (18VAC65-40-10 et seq.)

Ms. Yeatts reviewed the staff draft of the proposed revisions to the Regulations for the Funeral Service Internship Program (18VAC65-40-10 et seq.). Ms. Yeatts provided information on the internship hours comparison and discussed the public comments provided related to the internship hours. The Board discussed the recommendations.

Upon a **MOTION** by Ms. Steele, which was properly seconded by Mr. Nelsen, the Board voted to amend the current regulations to reduce the number of internship hours from 3,000 hours to 2,000 hours for the Funeral Service Internship Program in 18VAC65-40-130. The motion passed by a vote of 4-2 (Nay: Walton and Slusser) with Dr. Hickey abstaining.

Upon a **MOTION** by Mr. Nelsen, which was properly seconded by Mr. Slusser, the Board voted to adopt the other proposed amendments to the Regulations for the Funeral Service Internship Program in 18VAC65-40-10 et seq. as presented, including the changes to the internship hours from the previous motion. The vote was unanimous. (Attachment C)

Adoption of Fast Track Regulation Related to Handling Fee for Dishonored/Returned Checks or Payments (18VAC65-20-10 et seq.)

Ms. Yeatts provided an overview of the Regulation Related to Handling Fee for Dishonored/Returned Checks or Payments for both the practice regulations and the internship regulations (18VAC65-20-10 et seq. and 18VAC65-40-10 et seq.). The Board discussed the regulations.

Upon a **MOTION** by Ms. Mimms, which was properly seconded by Ms. Steele, the Board voted to adopt the Fast Track Regulation Related to Handling Fee for Dishonored/Returned Checks or Payments as presented by Ms. Yeatts. The vote was unanimous. (Attachment D)

Cancellation of Memorandum of Understanding with the Virginia Department of Agriculture and Consumer Services (Guidance Document 65-7)

Ms. Tillman Wolf provided an overview of the proposed cancellation of the current Memorandum of Understanding with the Virginia Department of Agriculture and Consumer Services (Guidance Document 65-7), as legislative changes since the execution of the Memorandum rendered it obsolete. The Board discussed the Guidance Document and proposed correspondence.

Upon a **MOTION** by Dr. Hickey, which was properly seconded by Ms. Mimms, the Board voted to approve cancellation of the Memorandum of Understanding of the Board of Funeral Directors and

Embalmers with the Virginia Department of Agriculture and Consumer Services (currently Guidance Document 65-7). The vote was unanimous.

Consideration of One-Time Reduction of Renewal Fee

Ms. Tillman Wolf provided an overview of the *Consideration of One-Time Reduction of Renewal Fee*. The Board discussed the consideration of a one-time reduction of renewal fee.

The Board took no action.

BREAK

The Board took a break at 12:24 p.m. The Board reconvened at 12:30 p.m.

NEW BUSINESS

Elections

Mr. Walton stated that in accordance with the Bylaws, during the last quarter of the organizational year, the board shall elect its officers.

Mr. Walton opened the floor for nominations for President of the Board of Funeral Directors and Embalmers. Mr. Slusser nominated Ms. Mimms for the position of President, which nomination was seconded by Mr. Walton. The nominations were closed.

Mr. Walton called for a voice vote for the election of the one nominee, Ms. Mimms, for the position of President of the Board of Funeral Directors and Embalmers.

By unanimous vote, Ms. Mimms was elected as President of the Board of Funeral Directors and Embalmers.

Mr. Walton opened the floor for nominations for Vice-President of the Board of Funeral Directors and Embalmers. Mr. Jones nominated Mr. Slusser for the position of Vice-President, which nomination was seconded by Mr. Walton. The nominations were closed.

Mr. Walton called for a voice vote for the election of the one nominee, Mr. Slusser, for the position of Vice-President of the Board of Funeral Directors and Embalmers.

By unanimous vote, Mr. Slusser was elected as Vice-President of the Board of Funeral Directors and Embalmers.

Mr. Walton opened the floor for nominations for Secretary-Treasurer of the Board of Funeral Directors and Embalmers. Mr. Nelsen nominated Dr. Hickey for the position of Secretary-Treasurer, which nomination was seconded by Ms. Steele. The nominations were closed.

Mr. Walton called for a voice vote for the election of the one nominee, Dr. Hickey, for the position of Secretary-Treasurer of the Board of Funeral Directors and Embalmers.

By unanimous vote, Dr. Hickey was elected as Secretary-Treasurer of the Board of Funeral Directors and Embalmers.

NEXT MEETING

The next meeting date is January 14, 2020.

ADJOURNMENT

With all business concluded, the meeting adjourned at 12:32 p.m.

Joseph Frank Walton, FSL, Board President

Corie Tillman Wolf, J.D., Executive Director

Date

Date

Attachments for the October 10, 2019 Board of Funeral Directors and Embalmers quarterly meeting can be accessed at https://www.dhp.virginia.gov/funeral/fun_calendar.htm.

Unapproved
VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
FORMAL ADMINISTRATIVE HEARING
MINUTES

February 26, 2020

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233

CALL TO ORDER: The formal hearing of the Board was called to order at 10:05 a.m.

MEMBERS PRESENT: Mia F. Mimms, FSL, President
R. Thomas Slusser, FSL Member
Connie Steele, FSL Member
Joseph Frank Walton, FSL Member
Jason Graves, FSL Member
Kenneth Scott Hickey, M.D., Citizen Member
Muhammad Hanif, Citizen Member

BOARD COUNSEL: Erin L. Barrett, Assistant Attorney General

DHP STAFF PRESENT: Corie Tillman Wolf, Executive Director
Sarah Georgen, Licensing and Operations Manager

COURT REPORTER: Commonwealth Court Reporters, Inc.

PARTIES ON BEHALF OF COMMONWEALTH: Claire Foley, Adjudication Specialist

COMMONWEALTH'S WITNESS: Mark Cranfill, Senior Investigator, DHP

OTHERS PRESENT: Ross M. Miller
John Ramsey
Diane Powers

MATTER: Kenya L. J. Stewart, FSL
License No. 0502-9008819 (Expired March 31, 2019)
Case No.'s: 191319, 191317, 191058, 191417

ESTABLISHMENT OF A QUORUM:

With six (7) members present, a quorum was established.

DISCUSSION:

Kenya L. J. Stewart did not appear before the Board in accordance with a Notice of Formal Hearing dated January 15, 2020. The Certified Mail receipt has not been received and tracking information has not been updated by USPS. Neither the certified or first class mail was returned. Ms. Stewart was not represented by legal counsel.

Ms. Foley stated that proper notice of the hearing was provided to Kenya L. J. Stewart to the address of record with the Board.

Ms. Mimms ruled that proper notice of the hearing was provided to Kenya L. J. Stewart and the Board proceeded in her absence. The Board received evidence and sworn testimony on behalf of the Commonwealth regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by R. Thomas Slusser, and duly seconded by Joseph Frank Walton, the Board voted to convene a closed meeting, pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Kenya L. J. Stewart, FSL. Additionally, he moved that Ms. Barrett, Ms. Tillman Wolf, and Ms. Georgen attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Mr. Slusser certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session.

DECISION:

Upon a motion by Joseph Frank Walton and duly seconded by Dr. Kenneth Hickey, the Board moved to revoke the license of Kenya L.J. Stewart, FSL. The motion carried.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 11: 24 a.m.

Mia F. Mimms, FSL, Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



March 10, 2020

The Virginia Board of Funeral Directors and Embalmers convened for a public hearing on Tuesday, March 10, 2020 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Training Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Blair Nelsen, FSL
Louis Jones, FSL

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Sarah Georgen, Licensing and Operations Manager
Kelley Palmatier, Deputy Executive Director
Elaine Yeatts, Sr. Policy Analyst

OTHER GUESTS PRESENT

Rusty Spencer, EOL Solutions

CALL TO ORDER

Blair Nelsen, FSL, called the public hearing to order at 9:32 a.m.

CALL FOR PUBLIC COMMENT

Mr. Nelsen called for comment on the proposed regulatory action regarding the periodic review of the Regulations for Preneed Funeral Planning (18VAC65-30-10 et seq.).

PUBLIC COMMENT

One (1) comment was received on the proposed regulations by Rusty Spencer, EOL Solutions. Mr. Spencer requested clarification on whether the Board would have a grace period for licensees to replace the pre-need contract forms in their records, and when the new forms would be used by DHP investigators for the inspection process.

Mr. Nelsen reminded everyone that a public comment period will remain open until April 3, 2020.

ADJOURNMENT

With all business concluded, the public hearing adjourned at 9:36 a.m.

Blair Nelsen, FSL

Kelley Palmatier, J.D., Deputy Executive Director

Date

Date

March 10, 2020

The Virginia Board of Funeral Directors and Embalmers convened for a public hearing on Tuesday, March 10, 2020 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Training Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Blair Nelsen, FSL
Louis Jones, FSL

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Sarah Georgen, Licensing and Operations Manager
Kelley Palmatier, Deputy Executive Director
Elaine Yeatts, Sr. Policy Analyst

OTHER GUESTS PRESENT

None

CALL TO ORDER

Blair Nelsen, FSL, called the public hearing to order at 9:45 a.m.

CALL FOR PUBLIC COMMENT

Mr. Nelsen called for comment on the proposed regulatory action regarding the periodic review of the Regulations Governing Funeral Directors and Embalmers (18VAC65-20-10 et seq.).

PUBLIC COMMENT

There was no public comment.

Mr. Nelsen reminded everyone that a public comment period will remain open until March 20, 2020.

ADJOURNMENT

With all business concluded, the public hearing adjourned at 9:46 a.m.

Blair Nelsen, FSL

Kelley Palmatier, J.D., Deputy Executive Director

Date

Date

Unapproved

**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
SPECIAL CONFERENCE COMMITTEE MINUTES**

November 20, 2019

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER:

A Special Conference Committee of the Board was called to order at 10:05 a.m.

MEMBERS PRESENT:

Louis Jones, FSL, Chair
Blair Nelsen, FSL

DHP STAFF PRESENT:

Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Jessica Kelley, Adjudication Specialist

OTHERS PRESENT:

Ross Miller

MATTER:

**Kenya L. J. Stewart, FSL
License #0502-900881 (Expired March 31, 2019)
Case Numbers: 191058, 191317, 191319 & 191417**

DISCUSSION:

Ms. Stewart did not appear before the Committee in accordance with the Board's Notice of Informal Conference dated September 4, 2019 and she was not represented by counsel.

The Committee fully discussed the allegations as referenced in the September 4, 2019, Notice of Informal Conference.

CLOSED SESSION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Kenya L. J. Stewart, FSL. Additionally, he moved that Ms. Palmatier and Ms. Pearson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions.

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.

DECISION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to refer this matter to a Formal Administrative Hearing. The motion carried.

ADJOURNMENT:

The Committee adjourned at 10:14 a.m.

Louis Jones, FSL Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



Unapproved

**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
SPECIAL CONFERENCE COMMITTEE MINUTES**

March 10, 2020

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER:

A Special Conference Committee of the Board was called to order at 10:04 a.m.

MEMBERS PRESENT:

Louis Jones, FSL, Chair
Blair Nelsen, FSL

DHP STAFF PRESENT:

Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Anne Joseph, Deputy Director, Administrative Proceedings Division

MATTER:

**Antonio Tucker, FSL
License #0502-900424
Case Number: 200214**

DISCUSSION:

Mr. Tucker did not appear before the Committee in accordance with the Board's Notice of Informal Conference dated December 4, 2019 and he was not represented by counsel.

The Committee fully discussed the allegations as referenced in the December 4, 2019, Notice of Informal Conference.

CLOSED SESSION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Antonio Tucker, FSL. Additionally, he moved that Ms. Palmatier, Ms. Joseph and Ms. Pearson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions.

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.

DECISION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to issue a reprimand and he will be included in the next audit of continuing competency compliance. The motion carried.

ADJOURNMENT:

The Committee adjourned at 10:17 a.m.

Louis Jones, FSL Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



Unapproved

**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
SPECIAL CONFERENCE COMMITTEE MINUTES**

March 10, 2020

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER:

A Special Conference Committee of the Board was called to order at 11:10 a.m.

MEMBERS PRESENT:

Louis Jones, FSL, Chair
Blair Nelsen, FSL

DHP STAFF PRESENT:

Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Anne Joseph, Deputy Director, Administrative Proceedings Division

MATTER:

**Lavana Tere Jenkins, FSL
License #0502-900840
Case Number: 200204**

DISCUSSION:

Ms. Jenkins appeared before the Committee in accordance with the Board's Notice of Informal Conference dated December 4, 2019 and she was not represented by counsel.

The Committee fully discussed the allegations as referenced in the December 4, 2019, Notice of Informal Conference, with Ms. Jenkins.

CLOSED SESSION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Lavana Tere Jenkins, FSL. Additionally, he moved that Ms. Palmatier, Ms. Joseph and Ms. Pearson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions.

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.

DECISION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to accept the continuing education submitted but it is not to be used towards the next renewal cycle. She will be included in the next audit of continuing competency compliance. The motion carried.

ADJOURNMENT:

The Committee adjourned at 11:39 a.m.

Louis Jones, FSL Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



Unapproved

**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
SPECIAL CONFERENCE COMMITTEE MINUTES**

March 10, 2020

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233

CALL TO ORDER:

A Special Conference Committee of the Board was called to order at 11:44 a.m.

MEMBERS PRESENT:

Louis Jones, FSL, Chair
Blair Nelsen, FSL

DHP STAFF PRESENT:

Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Anne Joseph, Deputy Director, Administrative Proceedings Division

MATTER:

Satchell's Funeral Service, Inc.
License #0501-000492
Case Number: 200525

DISCUSSION:

No one appeared from Satchell's Funeral Service, Inc. before the Committee in accordance with the Board's Notice of Informal Conference dated January 7, 2020 nor were they represented by counsel.

The Committee fully discussed the allegations as referenced in the January 7, 2020, Notice of Informal Conference.

CLOSED SESSION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Satchell' Funeral Service, Inc. Additionally, he moved that Ms. Palmatier, Ms. Joseph and Ms. Pearson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions.

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.

DECISION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted and ordered a monetary penalty, a reprimand, an inspection, and that specific price listings are provided to the Board. The motion carried.

ADJOURNMENT:

The Committee adjourned at 12:08 p.m.

Louis Jones, FSL Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



Unapproved

**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
SPECIAL CONFERENCE COMMITTEE MINUTES**

March 10, 2020

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER:

A Special Conference Committee of the Board was called to order at 1:31 p.m.

MEMBERS PRESENT:

Louis Jones, FSL, Chair
Blair Nelsen, FSL

DHP STAFF PRESENT:

Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Anne Joseph, Deputy Director, Administrative Proceedings Division

OTHERS PRESENT:

Charles H. Cuthbert, Jr., Esq.

MATTER:

**Fenton Lee Bland, Jr. FSL
License #0502-860051
Case Number: 197523**

DISCUSSION:

Mr. Bland appeared before the Committee in accordance with the Board's Notice of Informal Conference dated January 15, 2020 and was represented by counsel, Charles H. Cuthbert, Jr., Esquire.

The Committee fully discussed the allegations as referenced in the January 15, 2020, Notice of Informal Conference, with Mr. Bland.

CLOSED SESSION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Fenton Lee Bland, Jr., FSL. Additionally, he moved that Ms. Palmatier, Ms. Joseph and Ms. Pearson attend the closed meeting

because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions.

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.

DECISION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted and ordered that the release from probation is denied and that the indefinite probation is continued under the same terms as the Order of the Board entered July 24, 2013. The motion carried.

ADJOURNMENT:

The Committee adjourned at 2:21 p.m.

Louis Jones, FSL Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



Unapproved

**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
SPECIAL CONFERENCE COMMITTEE MINUTES**

March 10, 2020

**Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233**

CALL TO ORDER:

A Special Conference Committee of the Board was called to order at 2:38 p.m.

MEMBERS PRESENT:

Louis Jones, FSL, Chair
Blair Nelsen, FSL

DHP STAFF PRESENT:

Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Anne Joseph, Deputy Director, Administrative Proceedings Division

MATTER:

**Ralph Howell, Sr., FSL Applicant
Case Number: 198401**

DISCUSSION:

Mr. Howell did not appear before the Committee in accordance with the Board's Notice of Informal Conference dated January 15, 2020 and he was not represented by counsel.

The Committee fully discussed the allegations as referenced in the January 15, 2020, Notice of Informal Conference

CLOSED SESSION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ralph Howell, Sr. , FSL Applicant. Additionally, he moved that Ms. Palmatier, Ms. Joseph and Ms. Pearson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussions.

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.

DECISION:

Upon a motion by Blair Nelsen and duly seconded by Louis Jones, the Committee voted and ordered that the application is denied. The motion carried.

ADJOURNMENT:

The Committee adjourned at 2:42 p.m.

Louis Jones, FSL Chair

Corie Tillman Wolf, JD, Executive Director

Date

Date



Presentation and Discussion Items

COVID-19 Fatality Management

- Branch V, Fatality Management established under Unified Command Operations
- Utilize ASPR PHEP Capability 5, Fatality Management to establish objectives of the MFTF
 - Create Mass Fatality Task Force of Public and Private Health, Funeral Industry, Emergency Management, and Community Leadership
 - **Understand logistical posture including inventory and supply chain for refrigerated remains storage, body bags, and personal protective equipment**
 - Develop Guidance for COVID-19 Fatality Management in Virginia
 - Provide subject matter expertise for the Joint Information Center
- Mass Fatality Task Force initial teleconference conducted with key partners

Fatality Management Task Force Members

Emergency Management

- Federal Emergency Management Agency
- Virginia Department of Emergency Management
- Locality Emergency Managers

Healthcare

- Assistant Secretary for Preparedness and Readiness
- Virginia Department of Health Emergency Preparedness and Readiness
- Virginia Department of Health Professionals
- Virginia Hospital and Healthcare Association

Community Leadership

- Virginia Municipal Leagues
- Virginia Association of Counties
- Independent Funeral Homes of Virginia (IFHV)
- Virginia Funeral Directors Association (VFDA)
- Virginia Morticians Association (VMA)

Fatality Management Engagement

Fatality Management Guidance distributed to statewide partners

- Personal Protective Equipment
- Post-mortem testing for COVID-19
- Transportation and handling of COVID-19 positive human remains
- Death certification of COVID-19 decedents
- POC for VDEM, VDH, Healthcare Coalitions, and Funeral Homes
- Battelle N-95 Mask Sterilization Program

Fatality Management Survey to statewide partners

- Body Bag Inventory
- Refrigerated Human Remain Storage Capacity and Census
- PPE shortages

Teleconferences conducted with religious community leaders to address funeral customs as they relate to infectious disease and social distancing orders

Fatality Management Information Sharing

Daily

- Teleconference with Statewide OCME Leadership
- Situation Report to Unified Command

Weekly

- Teleconference with OCME District Office Leadership
- Teleconference with VDH Partners
- Teleconference with Unified Command

Monthly

- Teleconferences with the Mass Fatality Task Force

As needed

- Fatality management expertise for inquiries, including PIO
- Fatality management guidance updates

Fatality Management Lessons Learned

Resource Survey:

- Results of survey were of limited value due to poor response. The value of collecting the information is that preparedness officials to determine decedent capacity, and initiate emergency procedures when capacity level is being reached. Understanding capacity and processing throughput of decedent's will strengthen community planning. *This remains an open issue!*

PPE Shortages

- The full spectrum of healthcare suffered PPE shortages, and originally funeral service providers appeared to be unincorporated into the greater VA response plan to provide PPE. Issue was addressed and alleviated with the assistance of the MFTF with a policy developed and shared with funeral service industry.

Fatality Management Lessons Learned

Infectious Disease Notification

- Concerns that funeral homes would not be informed of positive COVID-19 status of decedents from the hospitals they were picking up from. Issue was discussed through the MFTF. The Virginia Hospital and Healthcare Association (VHHA) agreed to urge all healthcare providers to share the information for public health protection. VFDA also addressed this issue to the Governor.

Recognition as Essential Employee

- In early March, there lacked clarity as to whether the funeral industry would be recognized as critical infrastructure workers. Recognized as part of the public health management of COVID-19, funeral service providers were added to the priority list for Logistics Support of the Virginia Emergency Support Team. Both the VMA and VFDA addressed this with political leadership as well.

EDRS Cremation Module

- All cremation certificates (for all RBDC and all GBDC) with date of death 6/22 or after need to be completed in EDRS.
- No paper cremation certificate will be accepted with the date of death 6/22 or after.
- A PowerPoint with step by step instructions was provided to all Funeral Homes, which is located on the Board of Funeral Directors & Embalmers main website. This explains how to request a cremation certificate for a GBDC and for a RBDC - they are different approaches.
- PowerPoint Link:
https://www.dhp.virginia.gov/funeral/docs/UpdatedCremationModule_for%20FuneralDirectors.pptx

DRAFT

Virginia's Funeral Service Provider Workforce: 2020

Healthcare Workforce Data Center

May 2020

Virginia Department of Health Professions
Healthcare Workforce Data Center
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, VA 23233
804-367-2115, 804-527-4466 (fax)
E-mail: HWDC@dhp.virginia.gov

Follow us on Tumblr: www.vahwdc.tumblr.com

Get a copy of this report from:

<https://www.dhp.virginia.gov/PublicResources/HealthcareWorkforceDataCenter/ProfessionReports/>

More than 1,100 Funeral Service Providers voluntarily participated in this survey. Without their efforts, the work of the center would not be possible. The Department of Health Professions, the Healthcare Workforce Data Center, and the Board of Funeral Directors and Embalmers express our sincerest appreciation for your ongoing cooperation.

Thank You!

Virginia Department of Health Professions

David E. Brown, DC
Director

Barbara Allison-Bryan, MD
Chief Deputy Director

Healthcare Workforce Data Center Staff:

Elizabeth Carter, PhD
Director

Yetty Shobo, PhD
Deputy Director

Laura Jackson, MSHSA
Operations Manager

Rajana Siva, MBA
Research Analyst

Christopher Coyle
Research Assistant

Virginia Board of Funeral Directors and Embalmers

President

Mia F. Mimms, FSL, JD
Richmond

Vice-President

R. Thomas Slusser, Jr., FSL
Clifton Forge

Secretary-Treasurer

Kenneth Scott Hickey, MD
Maidens

Members

Jason Graves, FSL
Chesapeake

Muhammad Hanif
Midlothian

Louis R. Jones, FSL
Virginia Beach

Blair Nelsen, FSL
Richmond

Connie B. Steele, FSL
Roanoke

Joseph Frank Walton, FSL
Virginia Beach

Executive Director

Corie E. Tillman Wolf, JD

Contents

Results in Brief	2
Summary of Trends	2
Survey Response Rates	3
The Workforce	4
Demographics	5
Background	6
Education	8
Current Employment Situation	9
Employment Quality	10
Labor Market	11
Work Site Distribution	12
Establishment Type	13
Time Allocation	15
Retirement & Future Plans	16
Full-Time Equivalency Units	18
Maps	19
Virginia Performs Regions	19
Area Health Education Center Regions	20
Workforce Investment Areas	21
Health Services Areas	22
Planning Districts.....	23
Appendices	24
Appendix A: Weights	24

The Funeral Service Provider Workforce: At a Glance:

The Workforce

Licensees:	1,570
Virginia's Workforce:	1,299
FTEs:	1,341

Background

Rural Childhood:	51%
HS Diploma in VA:	71%
Prof. Degree in VA:	49%

Current Employment

Employed in Prof.:	87%
Hold 1 Full-Time Job:	76%
Satisfied?:	96%

Survey Response Rate

All Licensees:	74%
Renewing Practitioners:	80%

Education

Associate:	75%
Baccalaureate:	15%

Job Turnover

Switched Jobs:	3%
Employed Over 2 Yrs.:	78%

Demographics

Female:	27%
Diversity Index:	36%
Median Age:	54

Finances

Median Inc.:	\$60k-\$70k
Retirement Benefits:	43%
Under 40 w/ Ed. Debt:	39%

Time Allocation

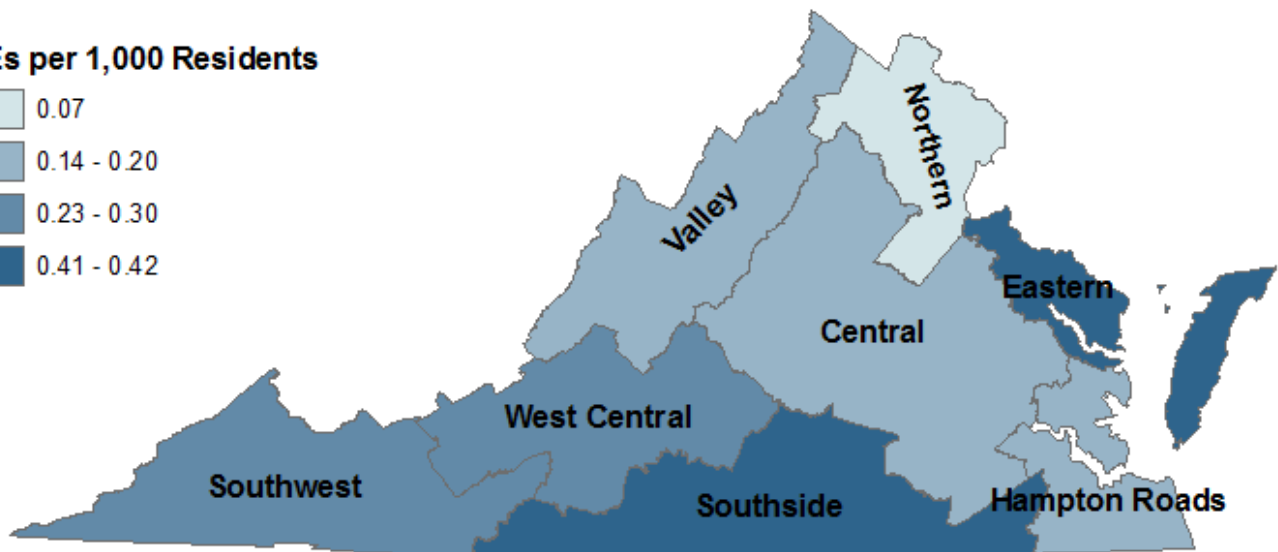
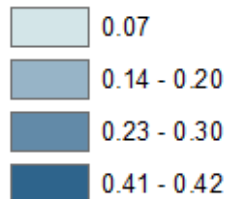
Client Care:	40%-49%
Administration:	30%-39%
Client Care Role:	26%

Source: Va. Healthcare Workforce Data Center

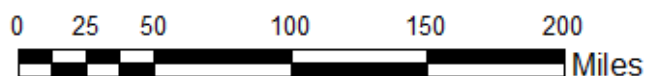
Full-Time Equivalency Units Provided by Funeral Service Providers per 1,000 Residents by Virginia Performs Region

Source: Va Healthcare Workforce Data Center

FTEs per 1,000 Residents



Annual Estimates of the Resident Population: July 1, 2018
Source: U.S. Census Bureau, Population Division



This report contains the results of the 2020 Funeral Service Provider (FSP) Workforce Survey. More than 1,100 FSPs voluntarily participated in this survey. The Virginia Department of Health Professions' Healthcare Workforce Data Center (HWDC) administers the survey during the license renewal process, which takes place every March for FSPs. These survey respondents represent 74% of the 1,570 FSPs who are licensed in the state and 80% of renewing practitioners.

The HWDC estimates that 1,299 FSPs participated in Virginia's workforce during the survey period, which is defined as those FSPs who worked at least a portion of the year in the state or who live in the state and intend to return to work as a FSP at some point in the future. Over the past year, Virginia's FSP workforce provided 1,341 "full-time equivalency units", which the HWDC defines simply as working 2,000 hours per year.

More than one-quarter of all FSPs are female, including 54% of those FSPs who are under the age of 40. In a random encounter between two FSPs, there is a 36% chance that they would be of different races or ethnicities, a measure known as the diversity index. This makes Virginia's FSP workforce less diverse than the state's overall population, which has a diversity index of 57%. More than half of all FSPs grew up in a rural area, and 37% of this group currently work in non-metro areas of Virginia. In total, 22% of all FSPs currently work in non-metro areas of the state.

Nearly 90% of all FSPs are currently employed in the profession, 76% hold one full-time job, and 55% work between 40 and 49 hours per week. In addition, nearly all FSPs work in the for-profit sector. With respect to establishment types, more than half of all FSPs are employed at funeral-only establishments, while another 34% of FSPs work at funeral establishments that also provide crematory services. The median annual income for Virginia's FSP workforce is between \$60,000 and \$70,000. In addition, 73% of FSPs receive at least one employer-sponsored benefit, including 56% who have access to health insurance. Overall, 96% of all FSPs are satisfied with their current employment situation, including 78% who indicate that they are "very satisfied".

Summary of Trends

In this section, all statistics for this year are compared to the 2017 FSP workforce. The number of licensed FSPs in Virginia has increased by 1% (1,570 vs. 1,557). In addition, the size of the FSP workforce has increased by 5% (1,299 vs. 1,239), and the number of FTEs provided by this workforce has increased by 6% (1,341 vs. 1,263). Virginia's FSPs are considerably more likely to respond to this survey (80% vs. 53%).

While the percentage of FSPs who are female has increased only slightly (27% vs. 26%), this increase is much larger among those FSPs who are under the age of 40 (54% vs. 46%). On the other hand, the diversity index of the FSP workforce has fallen (36% vs. 41%), and this decline in diversity is even more pronounced for FSPs who are under the age of 40 (31% vs. 39%). This has occurred despite the fact that the diversity of the state's overall population has increased over the same time period (57% vs. 56%). The percentage of FSPs who grew up in a rural area has fallen (51% vs. 56%), and this group of FSPs is slightly less likely to work in non-metro areas of Virginia (37% vs. 38%). In total, the overall percentage of FSPs who work in non-metro areas of the state has declined (22% vs. 25%).

There has been no change in either the percentage of FSPs who are employed in the profession or the percentage of FSPs who hold one full-time job. However, FSPs are more likely to work between 40 and 49 hours per week (55% vs. 50%) and less likely to work 50 or more hours per week (27% vs. 32%). The FSP workforce has experienced increased employment turnover since 2017. FSPs are less likely to have worked at their primary work location for more than two years (78% vs. 80%), and relatively more FSPs have begun employment at a new work location (12% vs. 10%).

The median annual income of Virginia's FSPs has increased (\$60k-\$70k vs. \$50k-\$60k). FSPs are also more likely to receive at least one employer-sponsored benefit (73% vs. 70%), including those who receive paid vacation time (68% vs. 65%) and paid sick leave (56% vs. 50%). Regardless, there has been no change in the percentage of FSPs who indicate that they are satisfied with their current work situation. In fact, the percentage of FSPs who indicate that they are "very satisfied" with their current work situation has fallen slightly (78% vs. 79%).

A Closer Look:

Licensees		
License Status	#	%
Renewing Practitioners	1,434	91%
New Licensees	43	3%
Non-Renewals	93	6%
All Licensees	1,570	100%

Source: Va. Healthcare Workforce Data Center

HWDC surveys tend to achieve very high response rates. Four out of every five renewing FSPs submitted a survey. These represent 74% of all FSPs who held a license at some point in the past year.

Definitions

- 1. The Survey Period:** The survey was conducted in March 2020.
- 2. Target Population:** All FSPs who held a Virginia license at some point between April 2019 and March 2020.
- 3. Survey Population:** The survey was available to those who renewed their licenses online. It was not available to those who did not renew, including some FSPs newly licensed in the past year.

Response Rates			
Statistic	Non Respondents	Respondents	Response Rate
By Age			
Under 35	48	106	69%
35 to 39	29	108	79%
40 to 44	33	106	76%
45 to 49	41	128	76%
50 to 54	37	154	81%
55 to 59	44	144	77%
60 to 64	40	139	78%
65 and Over	132	281	68%
Total	404	1,166	74%
New Licenses			
Issued in Past Year	29	14	33%
Metro Status			
Non-Metro	82	248	75%
Metro	270	706	72%
Not in Virginia	52	212	80%

Source: Va. Healthcare Workforce Data Center

Response Rates	
Completed Surveys	1,166
Response Rate, All Licensees	74%
Response Rate, Renewals	80%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Licensed FSPs

Number: 1,570
 New 3%
 Not Renewed: 6%

Response Rates

All Licensees: 74%
 Renewing Practitioners: 80%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Workforce

FSP Workforce: 1,299
 FTEs: 1,341

Utilization Ratios

Licenses in VA Workforce: 83%
 Licenses per FTE: 1.17
 Workers per FTE: 0.97

Source: Va. Healthcare Workforce Data Center

Definitions

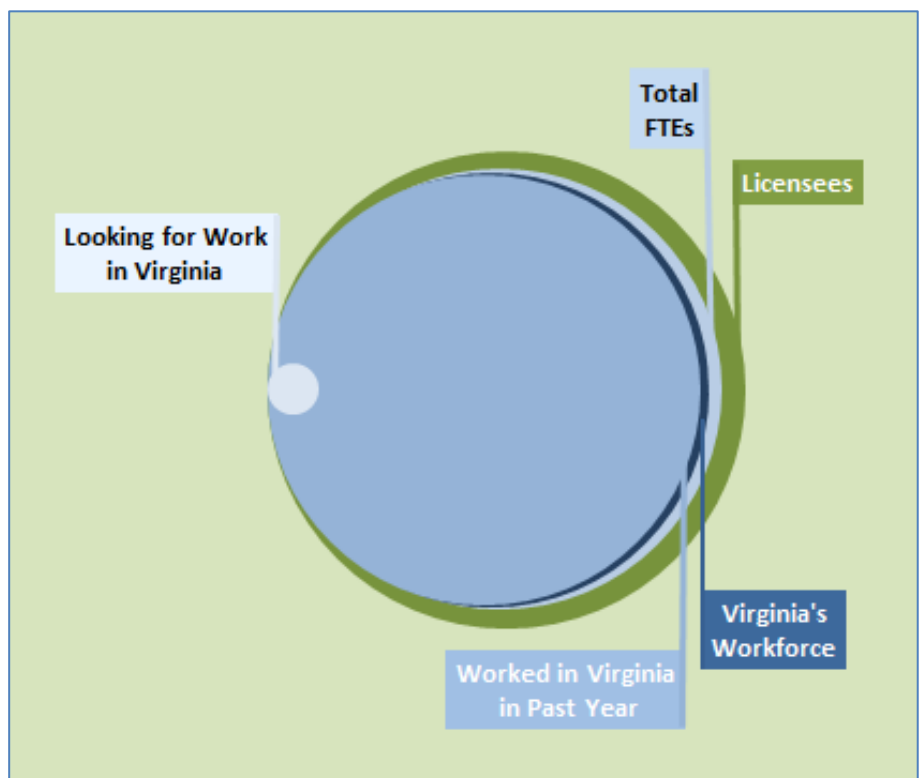
- 1. Virginia's Workforce:** A licensee with a primary or secondary work site in Virginia at any time in the past year or who indicated intent to return to Virginia's workforce at any point in the future.
- 2. Full-Time Equivalency Unit (FTE):** The HWDC uses 2,000 (40 hours for 50 weeks) as its baseline measure for FTEs.
- 3. Licenses in VA Workforce:** The proportion of licenses in Virginia's Workforce.
- 4. Licenses per FTE:** An indication of the number of licenses needed to create 1 FTE. Higher numbers indicate lower licensee participation.
- 5. Workers per FTE:** An indication of the number of workers in Virginia's workforce needed to create 1 FTE. Higher numbers indicate lower utilization of available workers.

Virginia's FSP Workforce

Status	#	%
Worked in Virginia in Past Year	1,281	99%
Looking for Work in Virginia	18	1%
Virginia's Workforce	1,299	100%
Total FTEs	1,341	
Licenses	1,570	

Source: Va. Healthcare Workforce Data Center

Weighting is used to estimate the figures in this report. Unless otherwise noted, figures refer to the Virginia Workforce only. For more information on HWDC's methodology, visit: <https://www.dhp.virginia.gov/PublicResources/HealthcareWorkforceDataCenter/>



Source: Va. Healthcare Workforce Data Center

A Closer Look:

Age & Gender						
Age	Male		Female		Total	
	#	% Male	#	% Female	#	% in Age Group
Under 35	47	44%	61	57%	108	11%
35 to 39	41	50%	41	50%	81	9%
40 to 44	53	55%	44	45%	97	10%
45 to 49	63	69%	28	31%	91	10%
50 to 54	93	76%	30	24%	122	13%
55 to 59	91	81%	22	19%	113	12%
60 to 64	95	84%	19	16%	113	12%
65 and Over	207	93%	16	7%	224	24%
Total	690	73%	260	27%	950	100%

Source: Va. Healthcare Workforce Data Center

Race & Ethnicity					
Race/Ethnicity	Virginia*	Funeral Service Providers		FSPs Under 40	
	%	#	%	#	%
White	61%	752	77%	157	82%
Black	19%	201	21%	23	12%
Asian	7%	3	0%	1	1%
Other Race	0%	1	0%	0	0%
Two or More Races	3%	5	1%	1	1%
Hispanic	10%	15	2%	9	5%
Total	100%	977	100%	191	100%

*Population data in this chart is from the U.S. Census, Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States, States, and Counties: July 1, 2018.

Source: Va. Healthcare Workforce Data Center

At a Glance:

Gender
 % Female: 27%
 % Under 40 Female: 54%

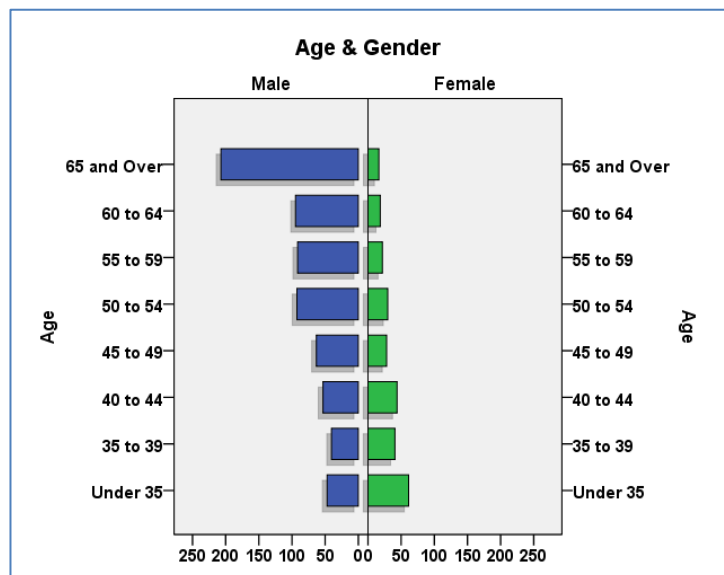
Age
 Median Age: 54
 % Under 40: 20%
 % 55 and Over: 47%

Diversity
 Diversity Index: 36%
 Under 40 Div. Index: 31%

Source: Va. Healthcare Workforce Data Center

In a chance encounter between two FSPs, there is a 36% chance that they would be of different races or ethnicities (a measure known as the diversity index). For Virginia's population as a whole, the comparable number is 57%.

One out of every five FSPs are under the age of 40, and 54% of these professionals are female. In addition, the diversity index among this group of FSPs is 31%.



Source: Va. Healthcare Workforce Data Center

At a Glance:

Childhood

Urban Childhood: 17%
 Rural Childhood: 51%

Virginia Background

HS in Virginia: 71%
 Prof. Edu. in VA: 49%
 HS or Prof. Edu. in VA: 77%

Location Choice

% Rural to Non-Metro: 37%
 % Urban/Suburban to Non-Metro: 5%

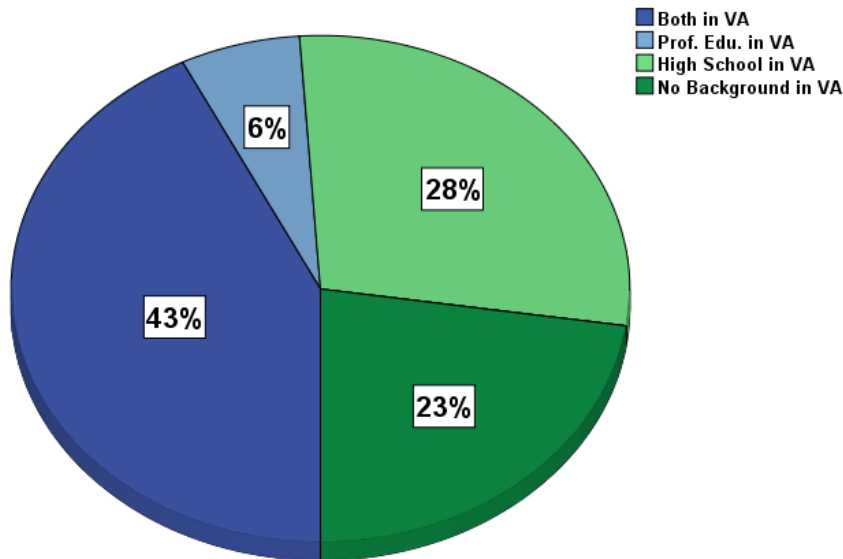
Source: Va. Healthcare Workforce Data Center

A Closer Look:

Primary Location: USDA Rural Urban Continuum		Rural Status of Childhood Location		
Code	Description	Rural	Suburban	Urban
Metro Counties				
1	Metro, 1 Million+	32%	44%	24%
2	Metro, 250,000 to 1 Million	64%	25%	11%
3	Metro, 250,000 or Less	58%	27%	16%
Non-Metro Counties				
4	Urban Pop., 20,000+, Metro Adjacent	65%	27%	9%
6	Urban Pop., 2,500-19,999, Metro Adjacent	91%	5%	5%
7	Urban Pop., 2,500-19,999, Non-Adjacent	95%	0%	5%
8	Rural, Metro Adjacent	97%	3%	0%
9	Rural, Non-Adjacent	90%	5%	5%
Overall		51%	32%	17%

Source: Va. Healthcare Workforce Data Center

Educational Background in Virginia



Source: Va. Healthcare Workforce Data Center

More than half of all FSPs grew up in a rural area, and 37% of these professionals currently work in non-metro areas of Virginia. Overall, 22% of all FSPs currently work in non-metro areas of the state.

Top Ten States for Funeral Service Provider Recruitment

Rank	All Funeral Service Providers			
	High School	#	Professional School	#
1	Virginia	676	Virginia	456
2	Pennsylvania	37	Georgia	119
3	New York	30	Ohio	81
4	North Carolina	25	Pennsylvania	73
5	Maryland	23	New York	32
6	West Virginia	16	Maryland	23
7	Ohio	15	Indiana	21
8	Florida	13	Washington, D.C.	19
9	Illinois	10	North Carolina	18
10	Georgia	9	Texas	16

Source: Va. Healthcare Workforce Data Center

More than 70% of all FSPs received their high school degree in Virginia, and 49% also obtained their initial professional degree in the state.

Rank	Licensed in the Past Five Years			
	High School	#	Professional School	#
1	Virginia	103	Virginia	85
2	New York	6	Pennsylvania	19
3	Pennsylvania	5	Ohio	11
4	Maryland	5	Georgia	9
5	New Hampshire	3	Texas	7
6	Oklahoma	3	Washington, D.C.	6
7	South Carolina	3	New York	4
8	West Virginia	3	North Carolina	4
9	Florida	3	Oklahoma	3
10	Georgia	3	Illinois	3

Source: Va. Healthcare Workforce Data Center

Among FSPs who received their initial license in the past five years, 63% received their high school degree in Virginia, while 52% obtained their initial professional degree in the state.

Nearly 20% of Virginia's licensees were not a part of the state's FSP workforce. More than four out of every five of these licensees worked at some point in the past year, including 73% who worked as FSPs.

At a Glance:

Not in VA Workforce

Total:	271
% of Licensees:	17%
Federal/Military:	4%
Va. Border State/D.C.:	36%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Highest Professional Degree		
Degree	#	%
High School/GED	62	7%
Associate Degree	692	75%
Baccalaureate Degree	141	15%
Masters Degree	22	2%
Doctorate	8	1%
Total	924	100%

Source: Va. Healthcare Workforce Data Center

Nearly 20% of all FSPs carry education debt, including 39% of those FSPs who are under the age of 40. For those FSPs with education debt, the median debt burden is between \$20,000 and \$30,000.

At a Glance:

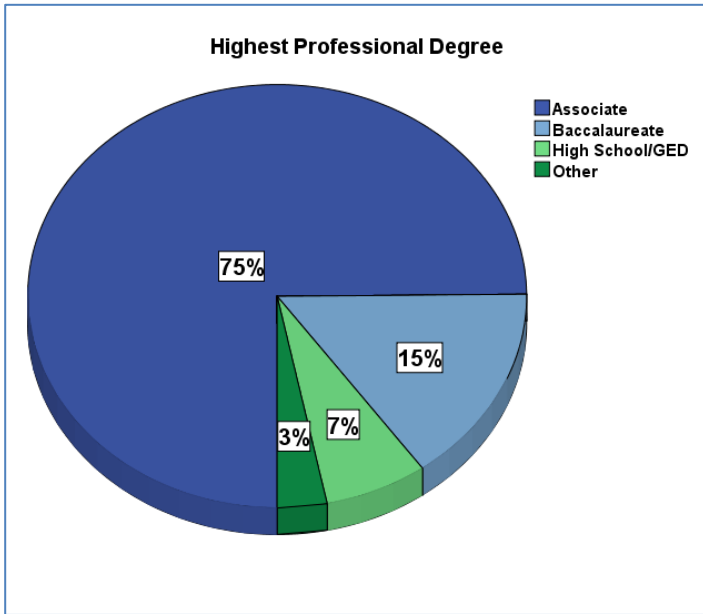
Education

Associate:	75%
Baccalaureate:	15%
High School/GED:	7%

Education Debt

Carry Debt:	19%
Under Age 40 w/ Debt:	39%
Median Debt:	\$20k-\$30k

Source: Va. Healthcare Workforce Data Center



Source: Va. Healthcare Workforce Data Center

Amount Carried	All FSPs		FSPs Under 40	
	#	%	#	%
None	626	81%	95	61%
Less than \$10,000	37	5%	14	9%
\$10,000-\$19,999	28	4%	14	9%
\$20,000-\$29,999	22	3%	7	5%
\$30,000-\$39,999	18	2%	9	6%
\$40,000-\$49,999	15	2%	6	4%
\$50,000-\$59,999	5	1%	0	0%
\$60,000-\$69,999	9	1%	7	5%
\$70,000-\$79,999	6	1%	3	2%
\$80,000-\$89,999	0	0%	0	0%
\$90,000-\$99,999	1	0%	0	0%
\$100,000 or More	10	1%	0	0%
Total	777	100%	155	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Employment

Employed in Profession: 87%
 Involuntarily Unemployed: < 1%

Positions Held

1 Full-Time: 76%
 2 or More Positions: 9%

Weekly Hours:

40 to 49: 55%
 60 or More: 13%
 Less than 30: 8%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Current Work Status		
Status	#	%
Employed, Capacity Unknown	1	< 1%
Employed in a FSP-Related Capacity	830	87%
Employed, NOT in a FSP-Related Capacity	81	8%
Not Working, Reason Unknown	0	0%
Involuntarily Unemployed	3	< 1%
Voluntarily Unemployed	13	1%
Retired	28	3%
Total	955	100%

Source: Va. Healthcare Workforce Data Center

More than 85% of Virginia's FSPs are currently employed in the profession, 76% have one full-time job, and 55% work between 40 and 49 hours per week.

Current Positions		
Positions	#	%
No Positions	44	5%
One Part-Time Position	98	11%
Two Part-Time Positions	4	0%
One Full-Time Position	704	76%
One Full-Time Position & One Part-Time Position	39	4%
Two Full-Time Positions	18	2%
More than Two Positions	21	2%
Total	928	100%

Source: Va. Healthcare Workforce Data Center

Current Weekly Hours		
Hours	#	%
0 Hours	44	5%
1 to 9 Hours	28	3%
10 to 19 Hours	16	2%
20 to 29 Hours	27	3%
30 to 39 Hours	44	5%
40 to 49 Hours	500	55%
50 to 59 Hours	127	14%
60 to 69 Hours	80	9%
70 to 79 Hours	20	2%
80 or More Hours	18	2%
Total	904	100%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Income		
Annual Income	#	%
Volunteer Work Only	18	3%
Less than \$30,000	93	15%
\$30,000-\$39,999	39	6%
\$40,000-\$49,999	75	12%
\$50,000-\$59,999	76	12%
\$60,000-\$69,999	90	15%
\$70,000-\$79,999	61	10%
\$80,000-\$89,999	53	9%
\$90,000-\$99,999	34	6%
\$100,000-\$109,999	24	4%
\$110,000-\$119,999	6	1%
\$120,000 or More	46	8%
Total	614	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Earnings
Median Income: \$60k-\$70k

Benefits
Health Insurance: 56%
Retirement: 43%

Satisfaction
Satisfied: 96%
Very Satisfied: 78%

Source: Va. Healthcare Workforce Data Center

Job Satisfaction		
Level	#	%
Very Satisfied	720	78%
Somewhat Satisfied	165	18%
Somewhat Dissatisfied	29	3%
Very Dissatisfied	8	1%
Total	922	100%

Source: Va. Healthcare Workforce Data Center

The typical FSP earns between \$60,000 and \$70,000 per year. In addition, nearly three-quarters of all FSPs receive at least one employer-sponsored benefit, including 56% who have access to health insurance.

Employer-Sponsored Benefits			
Benefit	#	%	% of Wage/Salary Employees
Paid Vacation	565	68%	71%
Paid Sick Leave	467	56%	59%
Health Insurance	464	56%	61%
Retirement	358	43%	48%
Dental Insurance	336	40%	43%
Group Life Insurance	276	33%	36%
Signing/Retention Bonus	41	5%	5%
At Least One Benefit	603	73%	76%

*From any employer at time of survey.

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Employment Instability in the Past Year		
In the Past Year, Did You . . . ?	#	%
Work Two or More Positions at the Same Time?	129	10%
Switch Employers or Practices?	45	3%
Experience Voluntary Unemployment?	30	2%
Work Part-Time or Temporary Positions, but Would Have Preferred a Full-Time/Permanent Position?	18	1%
Experience Involuntary Unemployment?	14	1%
Experienced At Least One	220	17%

Source: Va. Healthcare Workforce Data Center

Only 1% of Virginia's FSPs experienced involuntary unemployment at some point in the past year. By comparison, Virginia's average monthly unemployment rate was 2.7% during the same time period.¹

Location Tenure				
Tenure	Primary		Secondary	
	#	%	#	%
Not Currently Working at This Location	29	3%	35	17%
Less than 6 Months	37	4%	9	4%
6 Months to 1 Year	49	5%	9	4%
1 to 2 Years	80	9%	20	10%
3 to 5 Years	137	15%	31	15%
6 to 10 Years	129	14%	35	17%
More than 10 Years	435	49%	66	32%
Subtotal	896	100%	207	100%
Did Not Have Location	30		1,061	
Item Missing	373		31	
Total	1,299		1,299	

Source: Va. Healthcare Workforce Data Center

Nearly two-thirds of FSPs are salaried employees at their primary work location, while 22% receive an hourly wage.

At a Glance:

Unemployment Experience

Involuntarily Unemployed: 1%
Underemployed: 1%

Turnover & Tenure

Switched Jobs: 3%
New Location: 12%
Over 2 Years: 78%
Over 2 Yrs., 2nd Location: 64%

Employment Type

Salary/Commission: 65%
Hourly Wage: 22%

Source: Va. Healthcare Workforce Data Center

Nearly 80% of FSPs have worked at their primary work location for at least two years.

Employment Type		
Primary Work Site	#	%
Salary/Commission	413	65%
Hourly Wage	138	22%
Business/Practice Income	52	8%
By Contract	26	4%
Unpaid	3	0%
Subtotal	633	100%
Did Not Have Location	30	
Item Missing	636	

Source: Va. Healthcare Workforce Data Center

¹ As reported by the U.S. Bureau of Labor Statistics. Over the past year, the non-seasonally adjusted monthly unemployment rate fluctuated between a low of 2.4% and a high of 3.3%.

At a Glance:

Concentration

Top Region:	21%
Top 3 Regions:	55%
Lowest Region:	4%

Locations

2 or More (Past Year):	26%
2 or More (Now*):	20%

Source: Va. Healthcare Workforce Data Center

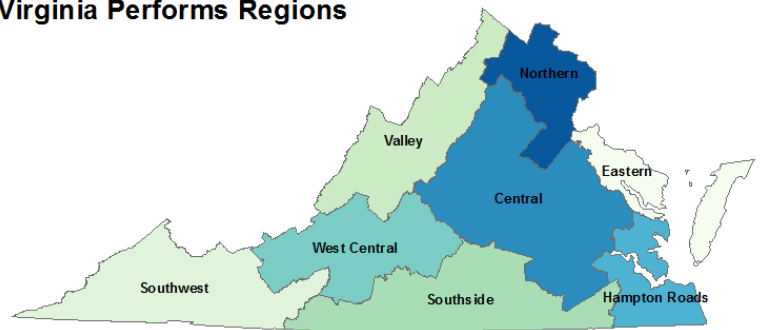
More than half of all FSPs work in Hampton Roads, Northern Virginia, and Central Virginia.

A Closer Look:

Regional Distribution of Work Locations				
Virginia Performs Region	Primary Location		Secondary Location	
	#	%	#	%
Hampton Roads	190	21%	39	17%
Northern	158	18%	30	13%
Central	147	16%	33	14%
West Central	130	15%	32	14%
Southside	80	9%	32	14%
Valley	71	8%	18	8%
Southwest	70	8%	18	8%
Eastern	33	4%	14	6%
Virginia Border State/D.C.	5	1%	3	1%
Other U.S. State	8	1%	12	5%
Outside of the U.S.	0	0%	0	0%
Total	892	100%	231	100%
Item Missing	378		8	

Source: Va. Healthcare Workforce Data Center

Virginia Performs Regions



One out of every five FSPs currently have multiple work locations, while 26% have had multiple work locations during the past year.

Number of Work Locations

Locations	Work Locations in Past Year		Work Locations Now*	
	#	%	#	%
0	18	2%	44	5%
1	658	72%	682	75%
2	132	15%	106	12%
3	82	9%	64	7%
4	5	1%	3	0%
5	5	1%	6	1%
6 or More	12	1%	8	1%
Total	913	100%	913	100%

*At the time of survey completion, March 2020.

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Sector	Location Sector			
	Primary Location		Secondary Location	
	#	%	#	%
For-Profit	776	95%	165	92%
Non-Profit	12	1%	4	2%
State/Local Government	18	2%	5	3%
Veterans Administration	4	0%	3	2%
U.S. Military	4	0%	1	1%
Other Federal Government	5	1%	1	1%
Total	819	100%	179	100%
Did Not Have Location	30		1,061	
Item Missing	451		58	

Source: Va. Healthcare Workforce Data Center

At a Glance: (Primary Locations)

Sector

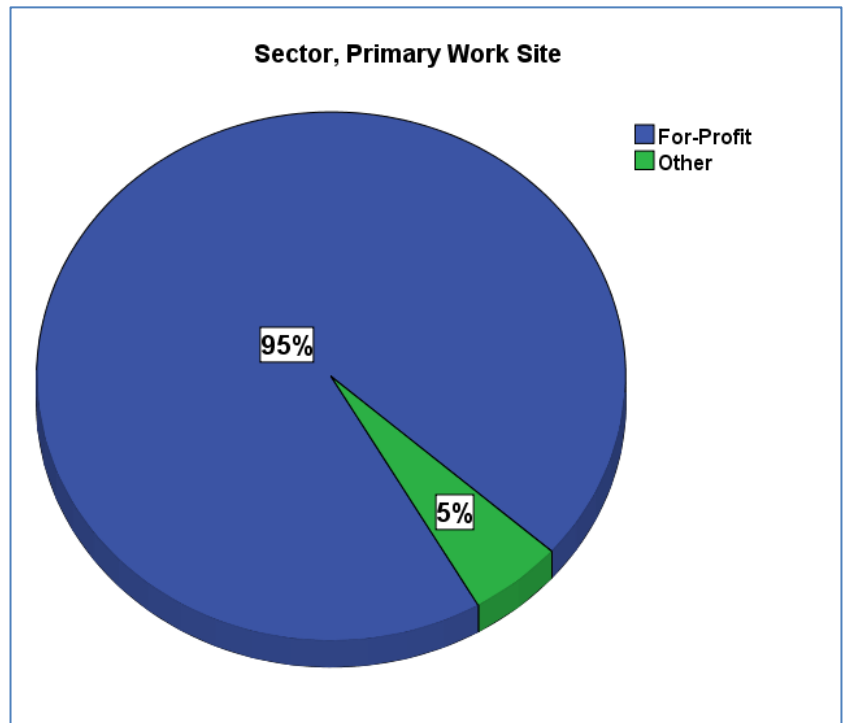
For-Profit:	95%
Federal:	2%

Top Establishments

Funeral-Only Establishment:	56%
Funeral Establishment w/ Crematory:	34%

Source: Va. Healthcare Workforce Data Center

Nearly all FSPs work in the private sector, including 95% who work in the for-profit sector.



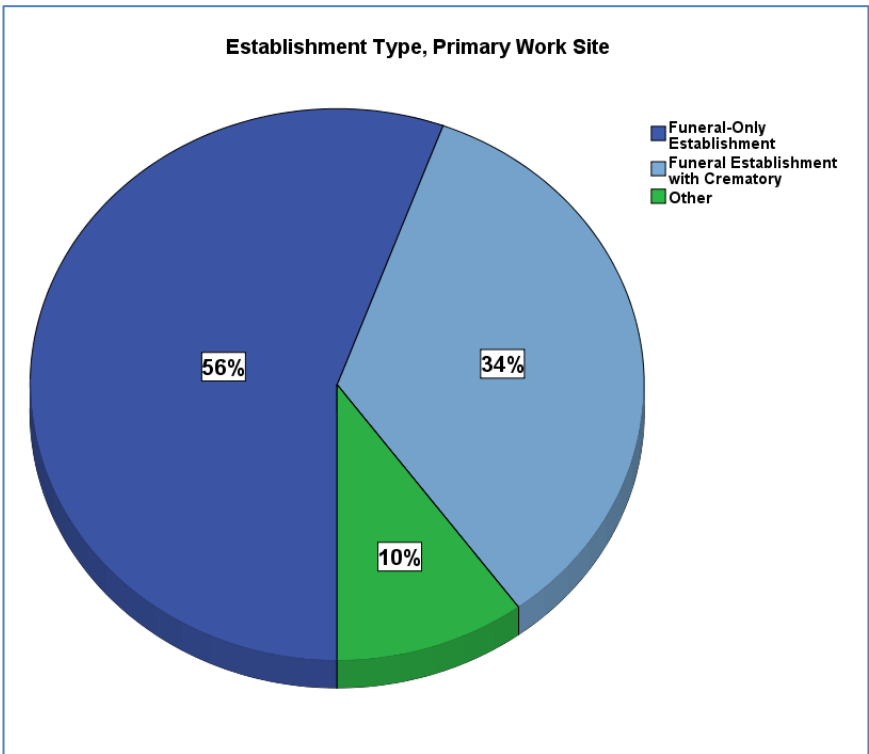
Source: Va. Healthcare Workforce Data Center

Location Type				
Establishment Type	Primary Location		Secondary Location	
	#	%	#	%
Funeral Establishment (Only)	433	56%	123	72%
Funeral Establishment Combined with Crematory	268	34%	25	15%
Funeral Establishment Combined with Surface Transport and Removal	7	1%	1	1%
Surface Transport and Removal (Only)	6	1%	0	0%
Academic Institution	3	0%	0	0%
Crematory (Only)	1	0%	1	1%
Other Practice Setting	61	8%	22	13%
Total	779	100%	172	100%
Did Not Have a Location	30		1,061	

More than half of all FSPs work at funeral-only establishments as their primary work location. Another 34% work at establishments that combine funeral and crematory services.

Source: Va. Healthcare Workforce Data Center

Among those FSPs who also have a secondary work location, 72% work at funeral-only establishments, and another 15% work at establishments that combine funeral and crematory services.



Source: Va. Healthcare Workforce Data Center

At a Glance: (Primary Locations)

Typical Time Allocation

Client Care: 40%-49%
Administration: 30%-39%

Roles

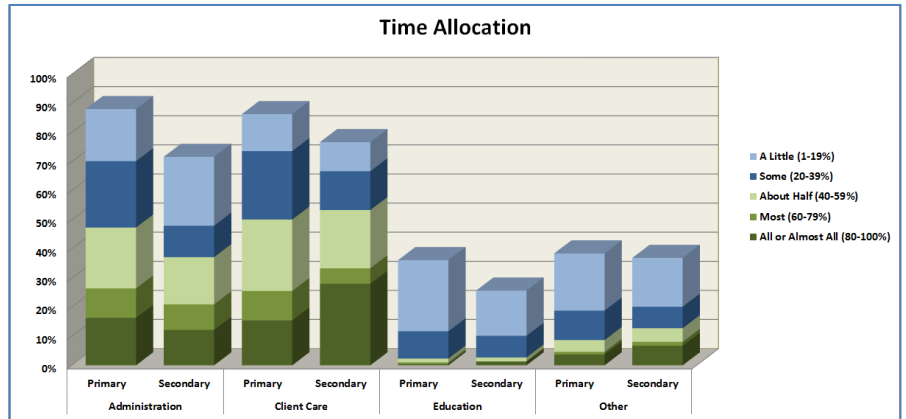
Client Care: 26%
Administration: 26%
Education: 1%

Patient Care FSPs

Median Admin. Time: 1%-9%
Avg. Admin. Time: 10%-19%

Source: Va. Healthcare Workforce Data Center

A Closer Look:



Source: Va. Healthcare Workforce Data Center

FSPs spend most of their time attending to clients and performing administrative tasks. In addition, 52% of FSPs fill either a client care role or an administrative role, defined as spending 60% or more of their time in those activity.

Time Allocation									
Time Spent	Admin.		Client Care		Education		Other		
	Pri. Site	Sec. Site	Pri. Site	Sec. Site	Pri. Site	Sec. Site	Pri. Site	Sec. Site	
All or Almost All (80-100%)	16%	12%	15%	28%	0%	1%	4%	7%	
Most (60-79%)	10%	9%	10%	5%	1%	0%	1%	1%	
About Half (40-59%)	21%	16%	25%	20%	1%	1%	4%	5%	
Some (20-39%)	23%	11%	24%	13%	9%	7%	10%	7%	
A Little (1-19%)	18%	23%	13%	10%	24%	15%	20%	17%	
None (0%)	12%	28%	14%	23%	64%	73%	62%	63%	

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Retirement Expectations				
Expected Retirement Age	All FSPs		FSPs 50 and Over	
	#	%	#	%
Under Age 50	29	4%	-	-
50 to 54	16	2%	3	1%
55 to 59	26	4%	8	2%
60 to 64	101	14%	43	10%
65 to 69	193	27%	117	27%
70 to 74	122	17%	87	20%
75 to 79	51	7%	36	8%
80 or Over	30	4%	25	6%
I Do Not Intend to Retire	155	21%	114	26%
Total	723	100%	433	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Retirement Expectations

All FSPs

Under 65: 24%
Under 60: 10%

FSPs 50 and Over

Under 65: 12%
Under 60: 3%

Time Until Retirement

Within 2 Years: 9%
Within 10 Years: 28%
Half the Workforce: By 2045

Source: Va. Healthcare Workforce Data Center

Nearly one-quarter of all FSPs expect to retire before the age of 65. Among FSPs who are at least age 50, 12% expect to retire by age 65.

Within the next two years, 7% of FSPs expect to increase client care hours, and 6% expect to pursue additional educational opportunities.

Future Plans

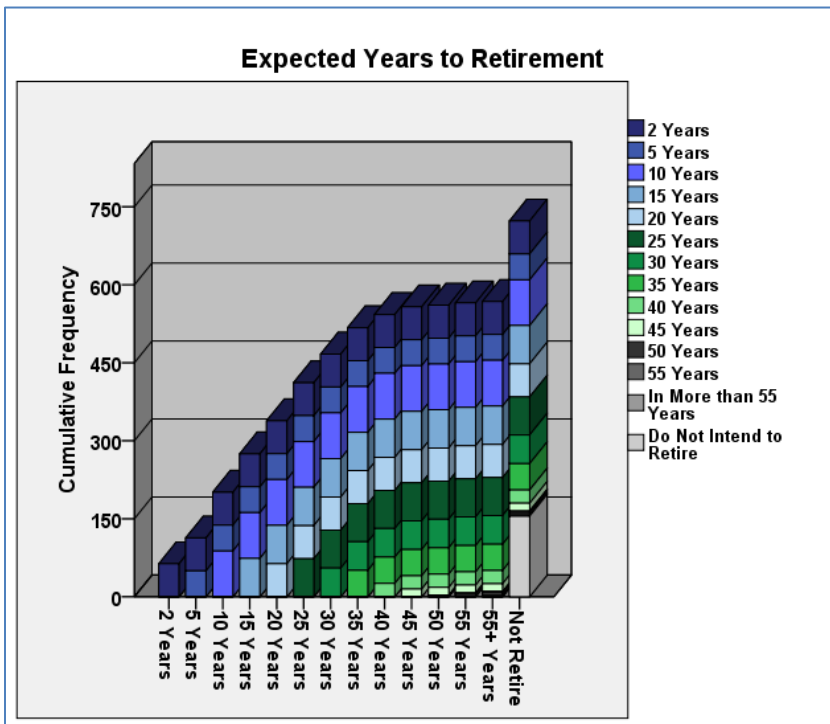
Two-Year Plans:	#	%
Decrease Participation		
Decrease Client Care Hours	94	7%
Leave Profession	25	2%
Leave Virginia	22	2%
Decrease Teaching Hours	4	0%
Increase Participation		
Increase Client Care Hours	89	7%
Pursue Additional Education	72	6%
Increase Teaching Hours	41	3%
Return to Virginia's Workforce	3	0%

Source: Va. Healthcare Workforce Data Center

By comparing retirement expectation to age, we can estimate the maximum years to retirement for FSPs. While only 9% of FSPs expect to retire in the next two years, 28% expect to retire within the next decade. More than half of the current FSP workforce expect to retire by 2045.

Time to Retirement			
Expect to Retire Within . . .	#	%	Cumulative %
2 Years	63	9%	9%
5 Years	50	7%	16%
10 Years	88	12%	28%
15 Years	74	10%	38%
20 Years	64	9%	47%
25 Years	73	10%	57%
30 Years	55	8%	65%
35 Years	51	7%	72%
40 Years	26	4%	75%
45 Years	15	2%	77%
50 Years	3	0%	78%
55 Years	4	1%	78%
In More than 55 Years	3	0%	79%
Do Not Intend to Retire	155	21%	100%
Total	723	100%	

Source: Va. Healthcare Workforce Data Center



Source: Va. Healthcare Workforce Data Center

Using these estimates, retirement will begin to reach over 10% of the current workforce every five years by 2030. Retirement will peak at 12% of the current workforce around the same time before declining to under 10% again around 2050.

At a Glance:

FTEs

Total: 1,341
 FTEs/1,000 Residents²: 0.157
 Average: 1.06

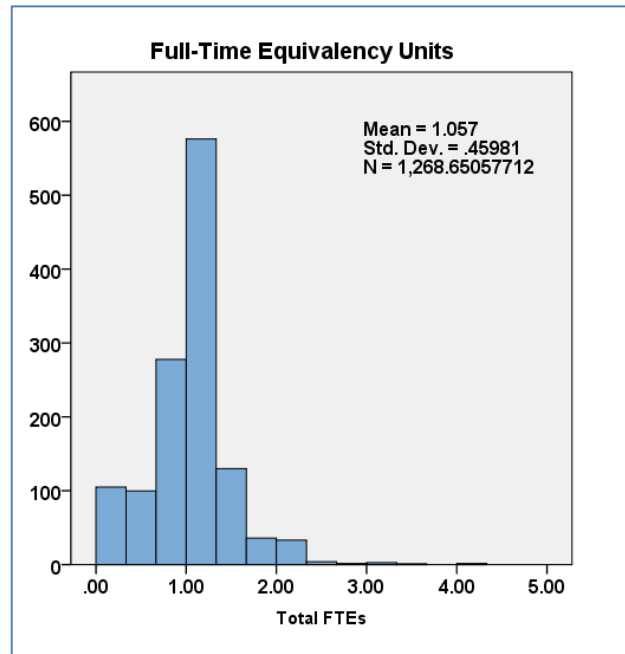
Age & Gender Effect

Age, Partial Eta²: Negligible
 Gender, Partial Eta²: Negligible

Partial Eta² Explained:
 Partial Eta² is a statistical measure of effect size.

Source: Va. Healthcare Workforce Data Center

A Closer Look:

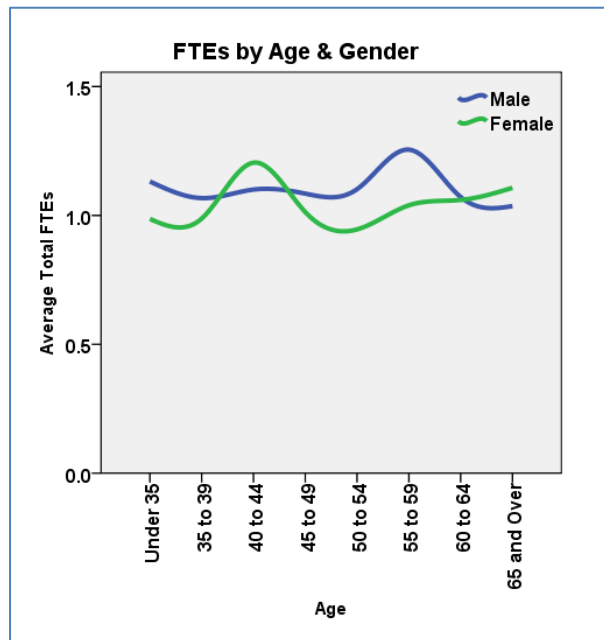


Source: Va. Healthcare Workforce Data Center

The typical FSP provided 1.09 FTEs during the past year, or approximately 44 hours per week for 50 weeks. Statistical tests do not indicate that FTEs vary by age or gender.

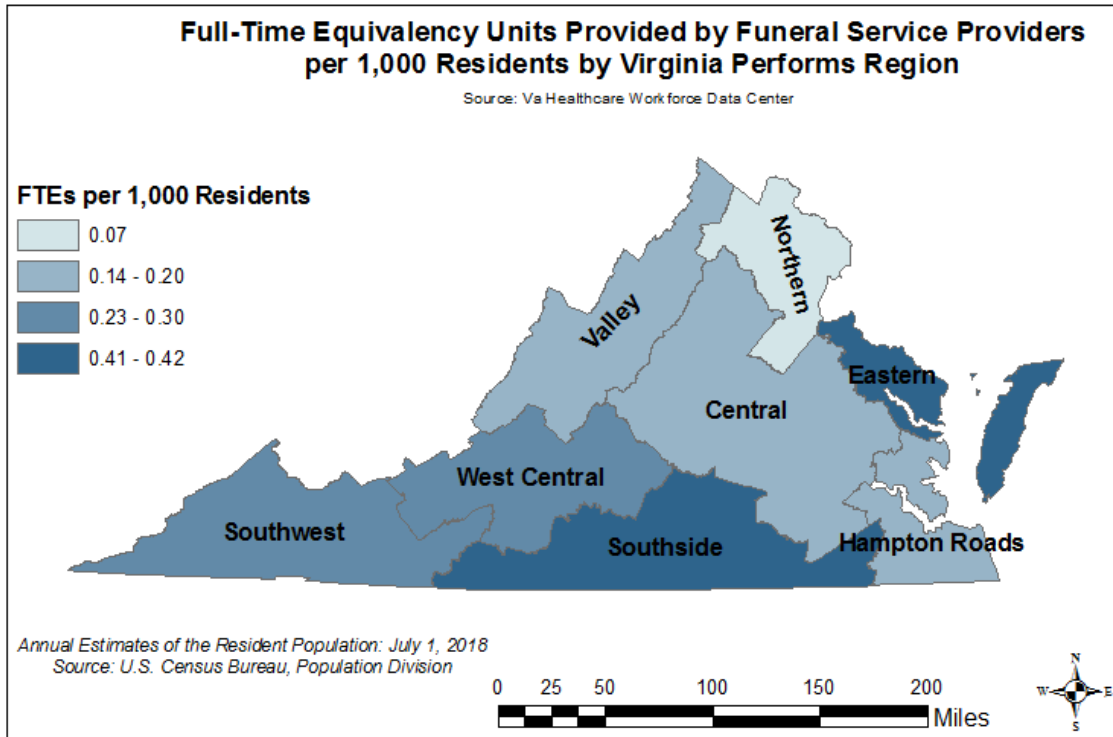
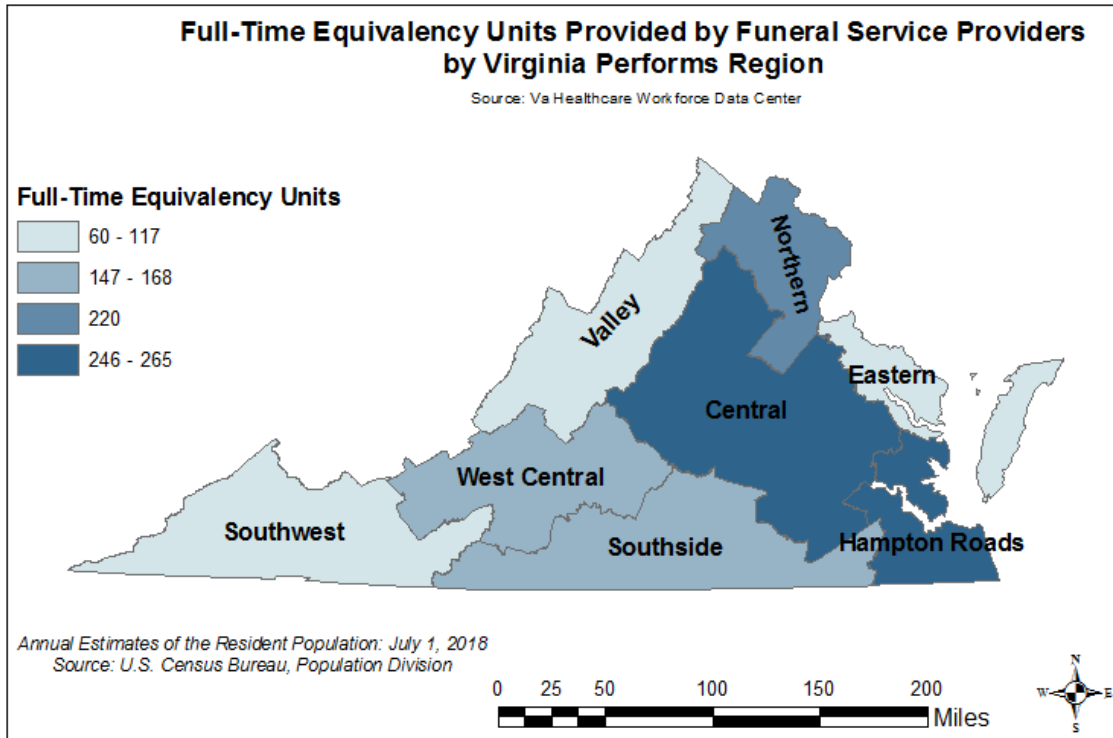
Full-Time Equivalency Units		
Age	Average	Median
Age		
Under 35	1.02	1.01
35 to 39	1.00	0.96
40 to 44	1.11	1.05
45 to 49	0.98	0.94
50 to 54	1.07	1.09
55 to 59	1.04	1.05
60 to 64	1.03	1.01
65 and Over	1.12	1.30
Gender		
Male	1.10	1.09
Female	1.04	1.06

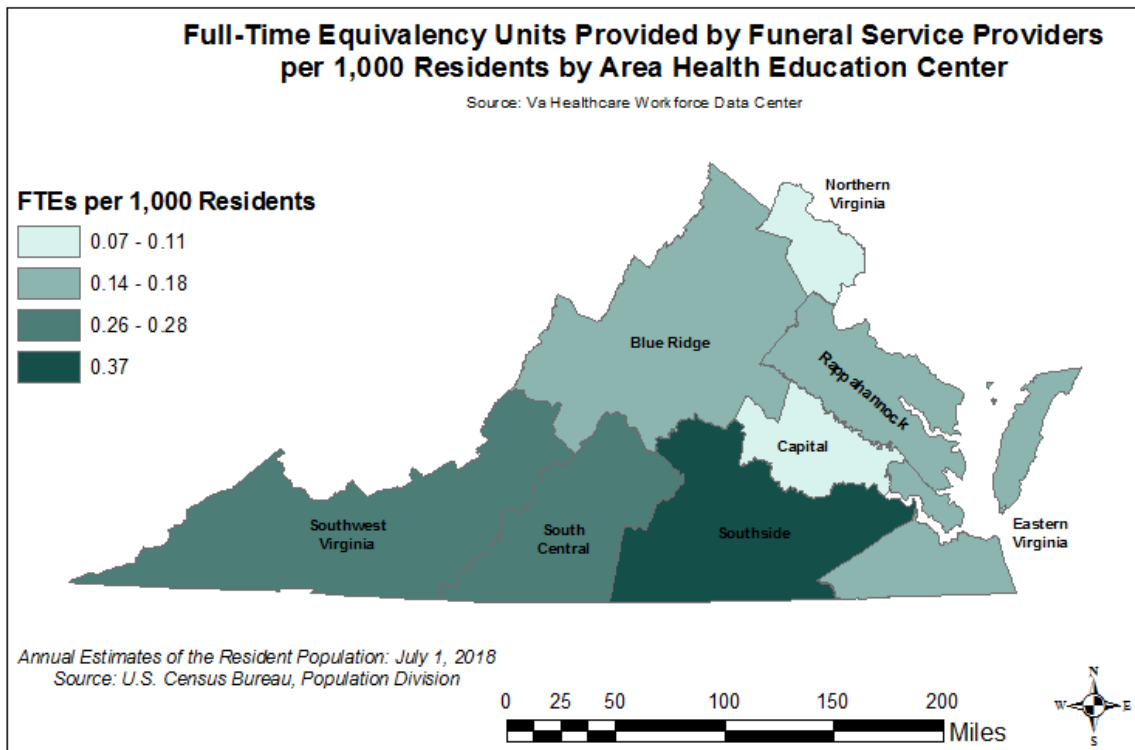
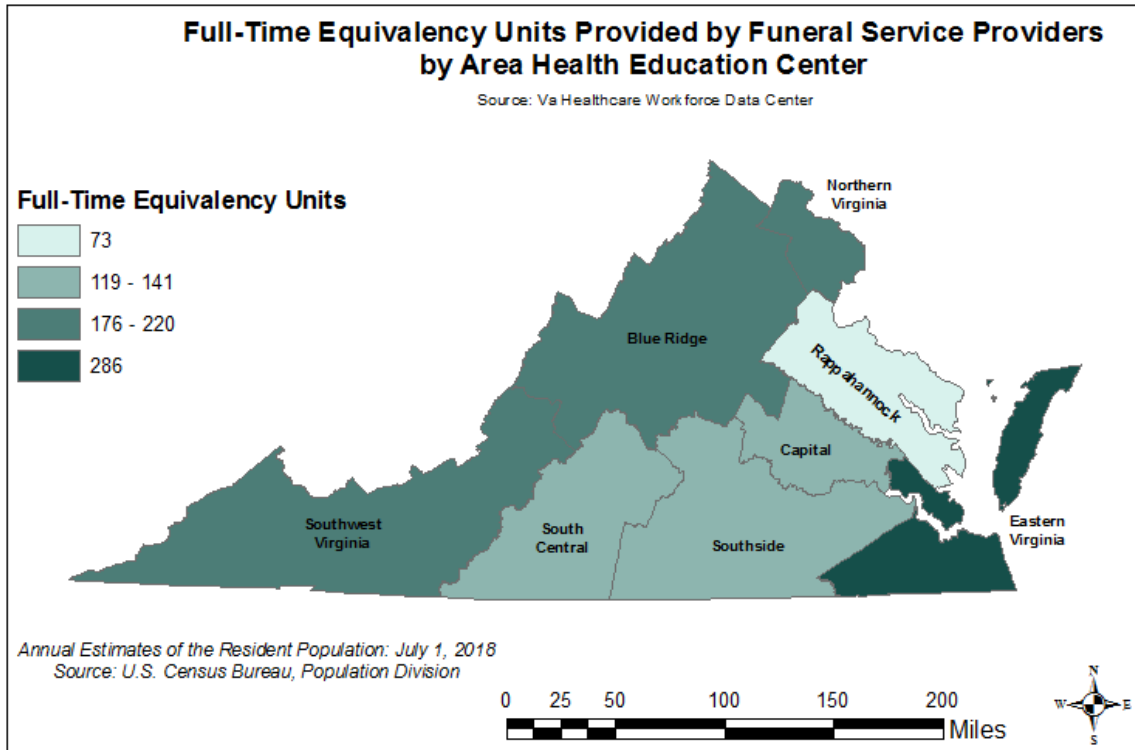
Source: Va. Healthcare Workforce Data Center

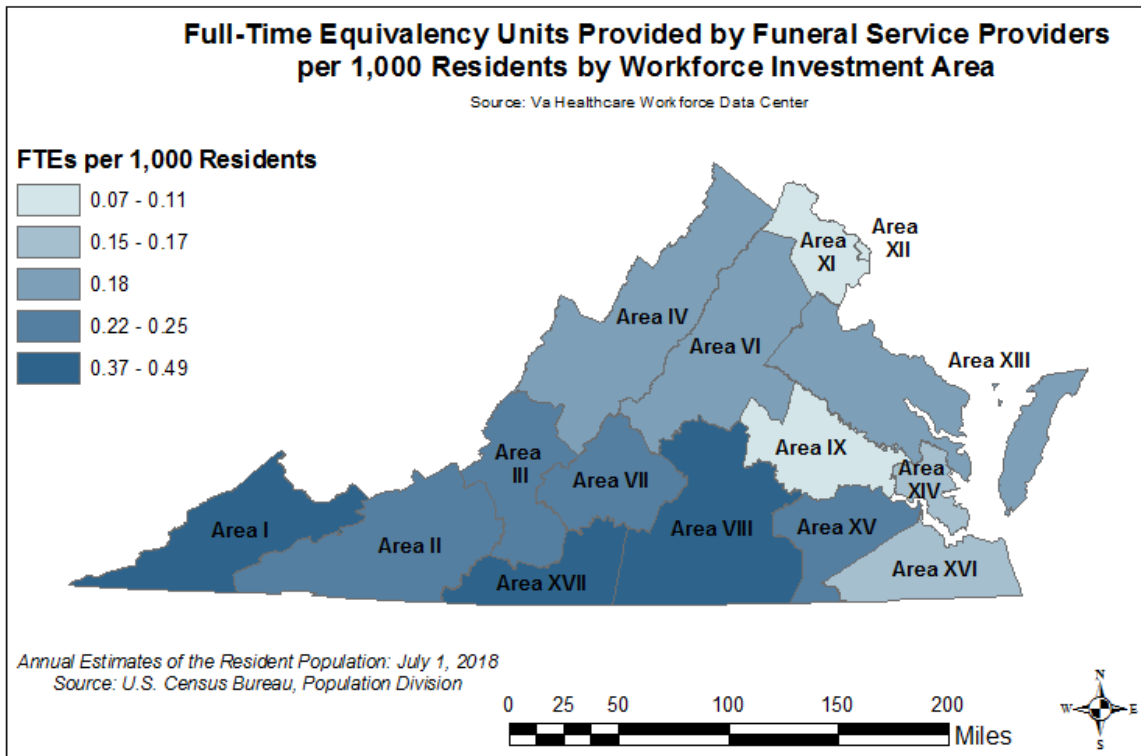
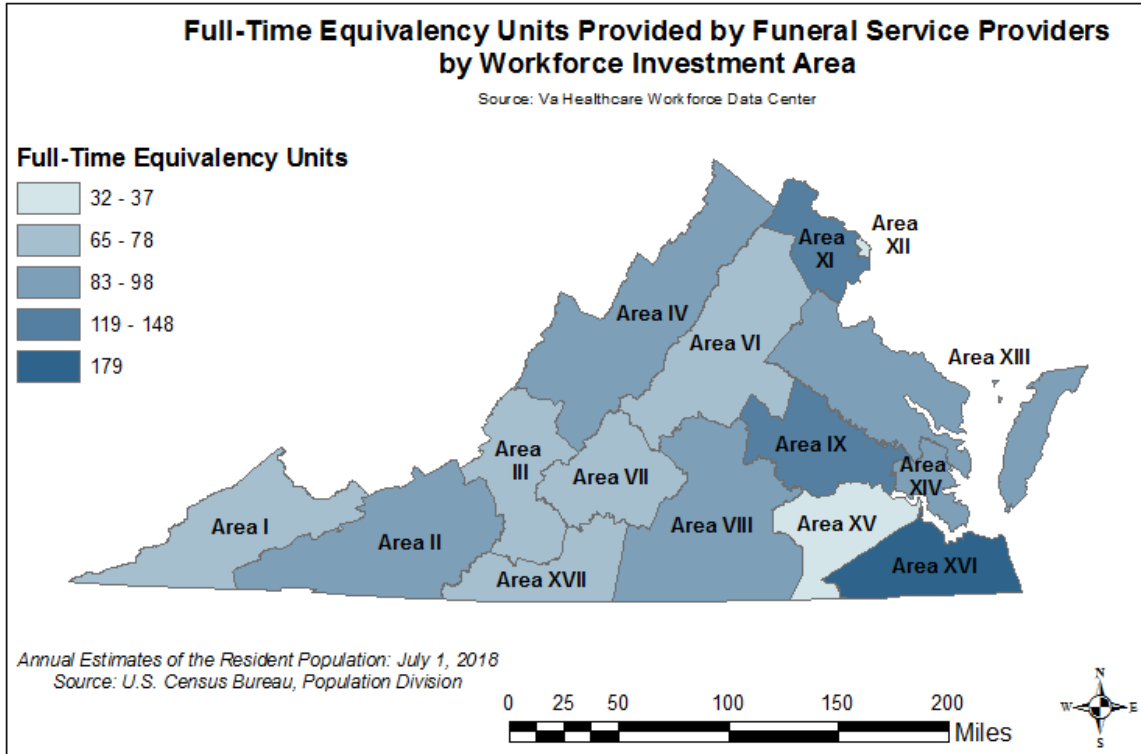


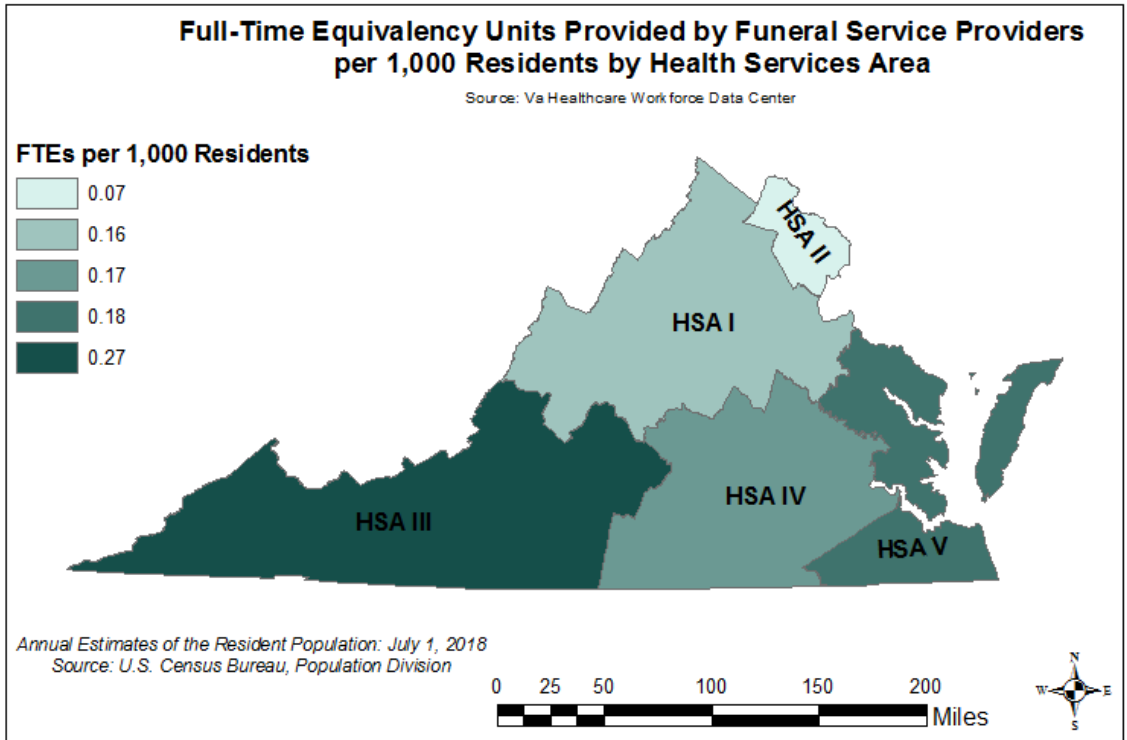
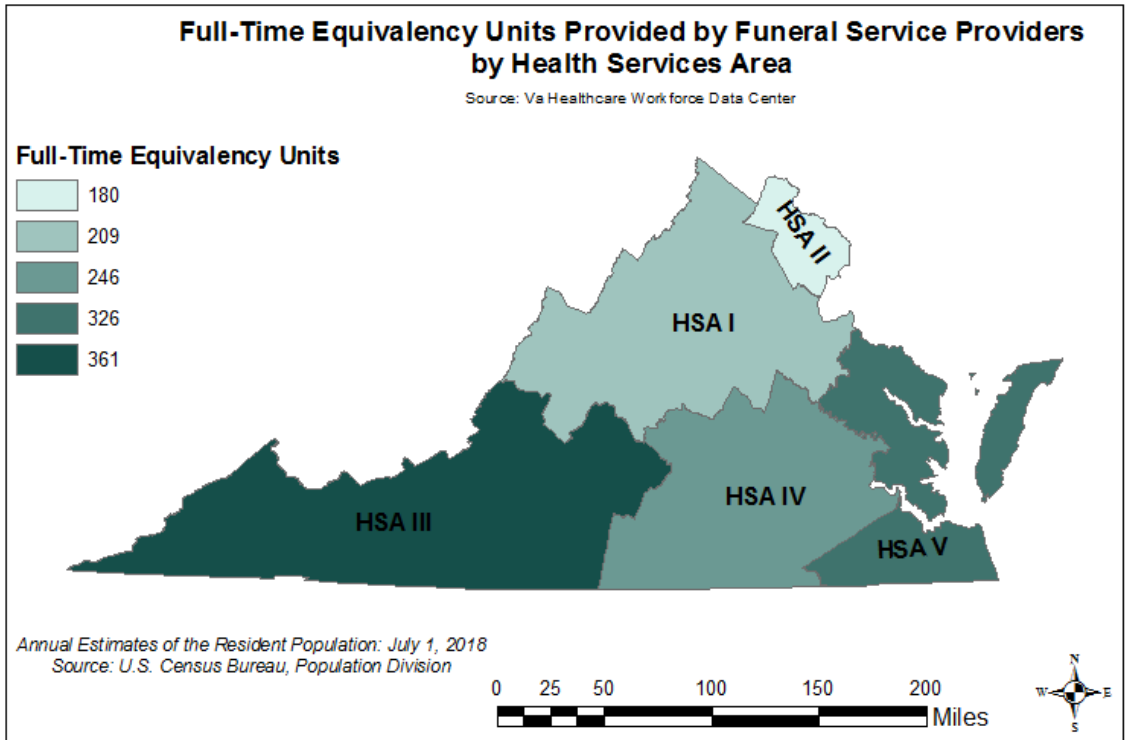
Source: Va. Healthcare Workforce Data Center

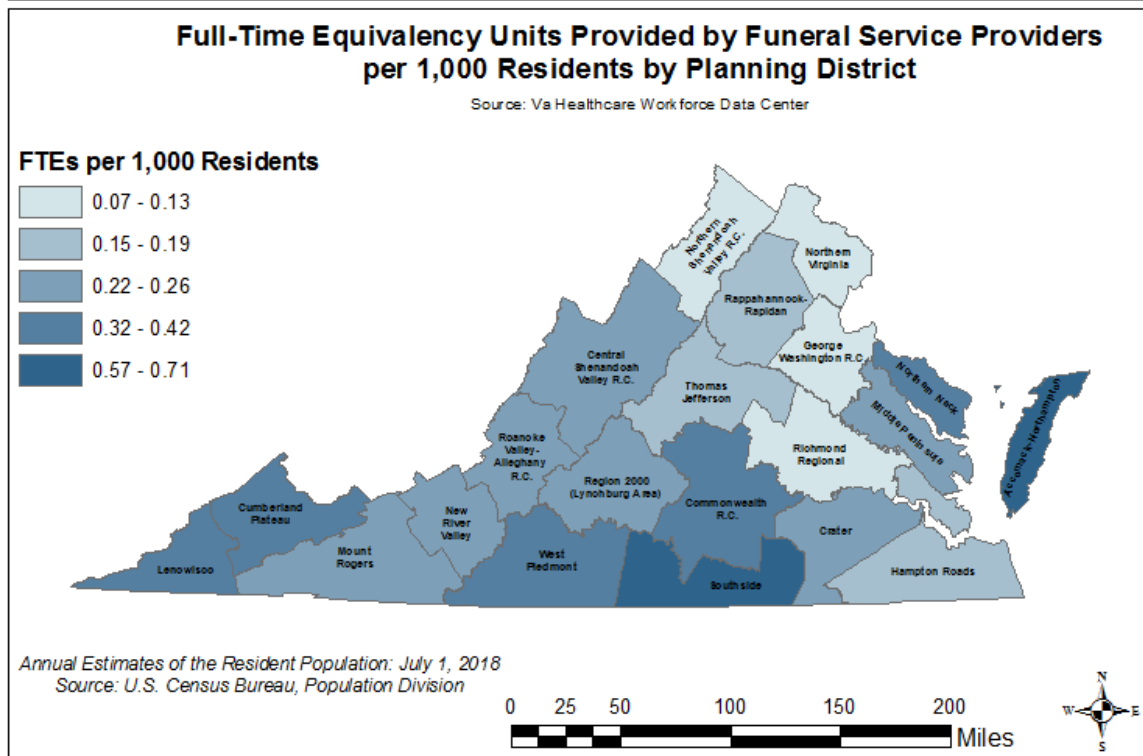
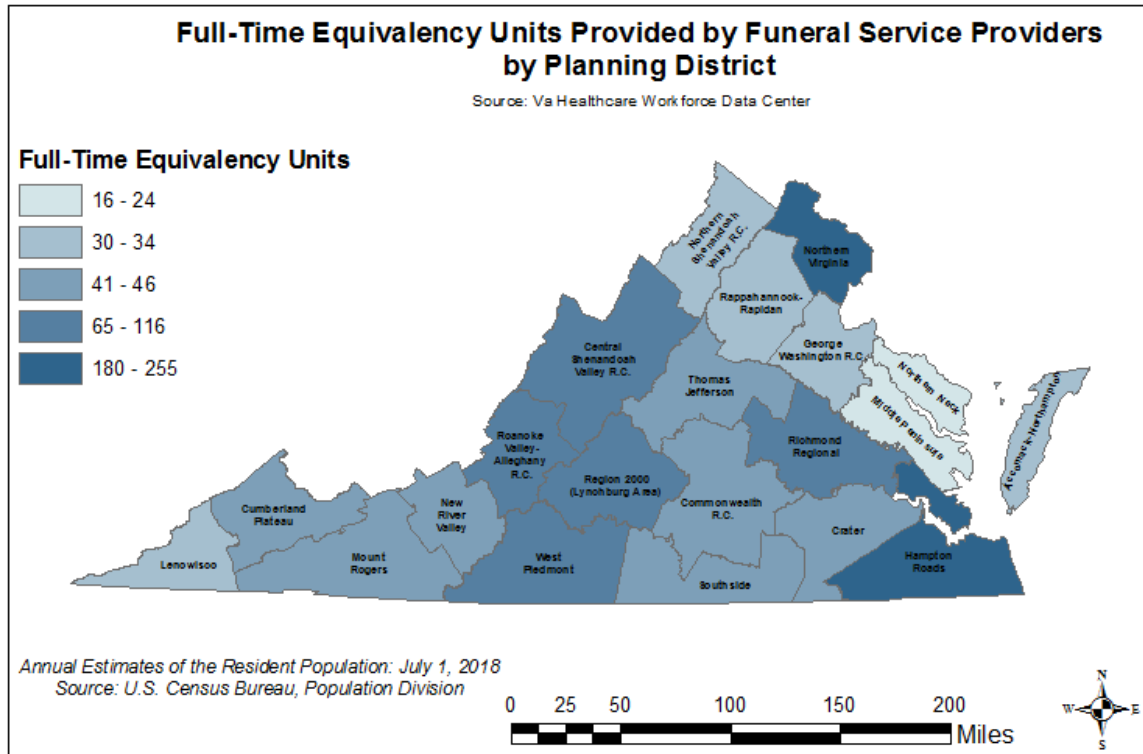
² Number of residents in 2018 was used as the denominator.











Appendices

Appendix A: Weights

Rural Status	Location Weight			Total Weight	
	#	Rate	Weight	Min.	Max.
Metro, 1 Million+	692	68.35%	1.463	1.348	1.597
Metro, 250,000 to 1 Million	151	86.09%	1.162	1.070	1.268
Metro, 250,000 or Less	133	77.44%	1.291	1.189	1.409
Urban Pop., 20,000+, Metro Adj.	51	70.59%	1.417	1.305	1.546
Urban Pop., 20,000+, Non-Adj.	0	NA	NA	NA	NA
Urban Pop., 2,500-19,999, Metro Adj.	103	69.90%	1.431	1.318	1.562
Urban Pop., 2,500-19,999, Non-Adj.	82	87.80%	1.139	1.049	1.243
Rural, Metro Adj.	59	69.49%	1.439	1.326	1.571
Rural, Non-Adj.	35	77.14%	1.296	1.194	1.415
Virginia Border State/D.C.	199	79.40%	1.259	1.160	1.375
Other U.S. State	65	83.08%	1.204	1.109	1.314

Source: Va. Healthcare Workforce Data Center

Age	Age Weight			Total Weight	
	#	Rate	Weight	Min.	Max.
Under 35	154	68.83%	1.453	1.229	1.579
35 to 39	137	78.83%	1.269	1.073	1.378
40 to 44	139	76.26%	1.311	1.109	1.425
45 to 49	169	75.74%	1.320	1.117	1.435
50 to 54	191	80.63%	1.240	1.049	1.348
55 to 59	188	76.60%	1.306	1.104	1.419
60 to 64	179	77.65%	1.288	1.089	1.399
65 and Over	413	68.04%	1.470	1.243	1.597

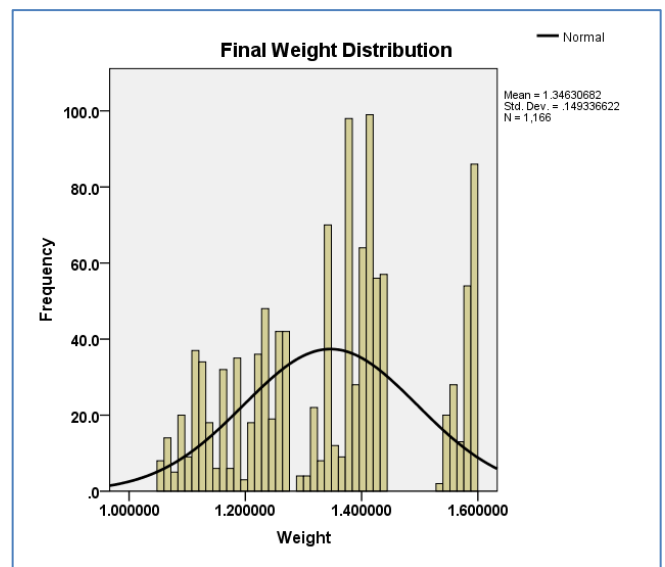
Source: Va. Healthcare Workforce Data Center

See the Methodology section on the HWDC website for details on HWDC methods:
<https://www.dhp.virginia.gov/PublicResources/HealthcareWorkforceDataCenter/>

Final weights are calculated by multiplying the two weights and the overall response rate:

$$\text{Age Weight} \times \text{Rural Weight} \times \text{Response Rate} = \text{Final Weight.}$$

Overall Response Rate: 0.742675



Source: Va. Healthcare Workforce Data Center

Legislation and Regulatory Actions

Virginia Department of Health Professions
Electronic Meetings during a State of Emergency
Declared by the Governor

Purpose:

To establish a written policy for holding electronic meetings during a State of Emergency as necessary to conduct essential business of a health regulatory board within the Department of Health Professions.

Policy:

Electronic meetings may be conducted provided such meetings are consistent with the Amendment 28 to HB29 (Budget Bill for 2018-2020) and the applicable provisions of § 2.2-3708.2 in the Freedom of Information Act.

Authority:

Budget bill as amended by the General Assembly on April 22, 2020.

"g. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

A public body or governing board convening a meeting in accordance with this subdivision shall:

- 1. Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;*
- 2. Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable,*

videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board."

Procedures:

1. Notice of a meeting to be conducted electronically, along with the agenda, should be provided to the public contemporaneously with such information being sent to board members at least three working days in advance of such meeting. (There are exceptions to the three-day notice but the Office of the Attorney General would want to review those situations on a case-by-case basis).
2. The notice shall include the rationale for conducting an electronic meeting (consistent the provisions of the Budget Bill), the purpose of the meeting, information relating to how to participate in the meeting electronically, and the opportunity that will be given for public comment.
3. Meeting notices and agendas shall be posted on the Virginia Regulatory Townhall (which sends notice to Commonwealth Calendar) and the Board's website. They should also be provided electronically to interested parties on the Board's public participation guidelines list.
4. The notice shall include the date, time, place, and purpose for the meeting; shall identify the primary meeting location; shall include notice as to the electronic communication means by which members of the public may participate in the meeting; and shall include a telephone number that may be used to notify the primary or central meeting location of any interruption in the telephonic or video broadcast of the meeting. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access is restored.
5. The agenda shall include a link to a public comment form prepared by the Virginia Freedom of Information Advisory Council in accordance with § ~~30-179~~ to allow members of the public to assess their experience with participation in the electronic meeting.
6. Members of the public must be given substantially equal access to the electronic communication available to the members. Public comment on the agenda item(s) may be requested for submission in advance to be included in the agenda package or may be received at the beginning of the meeting.

7. The meeting may be conducted via teleconferencing or videoconferencing. If a telephonic meeting without video is held, members should have an opportunity to speak individually and should identify themselves as they do.
8. Minutes of meetings held by electronic communication means shall be recorded as required by § 2.2-3707. Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes. The nature of the emergency, the type of electronic communication by which the meeting was held, and the reason it was impractical or unsafe to assemble physically shall be stated in the minutes.
9. A Board that meets by electronic communication means must make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:
 - a. The total number of meetings held that year in which there was participation through electronic communication means;
 - b. The dates and purposes of each such meeting;
 - c. A copy of the agenda for each such meeting;
 - d. The primary or central meeting location of each such meeting;
 - e. The types of electronic communication means by which each meeting was held;
 - f. If possible, the number of members of the public who participated in each meeting through electronic communication means;
 - g. The identity of the members of the public body recorded as present at each meeting, and whether each member was present at the primary or central meeting location or participated through electronic communication means;
 - h. The identity of any members of the public body who were recorded as absent at each meeting;
 - i. A summary of any public comment received about the process of conducting a meeting through electronic communication means; and
 - j. A written summary of the Board's experience conducting meetings through electronic communication means, including its logistical and technical experience.

Form:

Link to Public comment form from the Freedom of Information Council
<http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>

Adopted by: _____
David E. Brown, D.C.
Director, Department of Health Professions

Date: _____

**Board of Funeral Directors and Embalmers
Report of 2020 General Assembly**

HB 641 Funeral service providers; caskets provided by third parties.

Chief patron: Hurst

Summary as passed House:

Funeral service providers; caskets provided by third parties. Eliminates the prohibition on the sale of, or offering for sale, caskets by a person other than a licensed funeral service establishment or funeral service licensee in cases in which preneed funeral arrangements for funeral services are being made. The bill requires funeral service licensees to accept caskets provided by a third party in accordance with the requirements of federal law but makes clear that no funeral service establishment or funeral service licensee shall be required to store a casket provided by a third party when preneed arrangements for funeral services have been made. The bill also provides that any person selling or providing preneed caskets shall be subject to requirements for preneed services set forth in state and federal law.

HB 967 Military service members and veterans; expediting issuance of credentials to spouses, application.

Chief patron: Willett

Summary as passed House:

Professions and occupations; expediting the issuance of credentials to spouses of military service members. Provides for the expedited issuance of credentials to the spouses of military service members who are (i) ordered to federal active duty under Title 10 of the United States Code or (ii) veterans who have left active duty service within one year of the submission of an application to a board if the spouse accompanies the service member to the Commonwealth or an adjoining state or the District of Columbia. Under current law, the expedited review is provided more generally for active duty members of the military who are the subject of a military transfer to the Commonwealth. The bill also authorizes a regulatory board within the Department of Professional and Occupational Regulation or the Department of Health Professions or any other board in Title 54.1 (Professions and Occupations) to waive any requirement relating to experience if the board determines that the documentation provided by the applicant supports such waiver.

SB 422 Health regulatory boards; clarifies the meaning of "license."

Chief patron: Petersen

Summary as *introduced:*
Health regulatory boards. Clarifies the meaning of "license" as used by the Boards of Funeral Directors and Embalmers and Physical Therapy and the conditions under which a license may be denied, suspended, or revoked by the Board of Veterinary Medicine.

SB 1044 Funeral directors and embalmers; Board to promulgate regulations for licensure.

Chief patron: McPike

Summary as passed Senate:

Funeral directors and embalmers; Board to promulgate regulations for licensure. Directs the Board of Funeral Directors and Embalmers to promulgate regulations that establish requirements of licensure for funeral directors and embalmers.

CHAPTER 97

An Act to amend and reenact § 54.1-2808.3 of the Code of Virginia, relating to funeral service providers; caskets provided by third parties.

[H 641]

Approved March 3, 2020

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2808.3 of the Code of Virginia is amended and reenacted as follows:

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

A. ~~No person except a licensed funeral service establishment or funeral service licensee shall offer for sale or sell a casket when preneed arrangements for funeral services are being made, including preneed funeral contracts and preneed funeral planning.~~

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

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

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

CHAPTER 885

An Act to amend and reenact §§ 54.1-2806, 54.1-3480, 54.1-3483, and 54.1-3807 of the Code of Virginia, relating to health regulatory boards.

[S 422]

Approved April 8, 2020

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2806, 54.1-3480, 54.1-3483, and 54.1-3807 of the Code of Virginia is amended and reenacted as follows:

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

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

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

1. Conviction of any felony or any crime involving moral turpitude;
2. Unprofessional conduct that is likely to defraud or to deceive the public or clients;
3. Misrepresentation or fraud in the conduct of the funeral service profession, or in obtaining or renewing a license;
4. False or misleading advertising or solicitation;

5. Solicitation at-need or any preneed solicitation using in-person communication by the licensee, his agents, assistants or employees; however, general advertising and preneed solicitation, other than in-person communication, shall be allowed;
6. Employment by the licensee of persons known as "cappers" or "steerers," or "solicitors," or other such persons to obtain the services of a holder of a license for the practice of funeral service;
7. Employment directly or indirectly of any agent, employee or other person, on part or full time, or on a commission, for the purpose of calling upon individuals or institutions by whose influence dead human bodies may be turned over to a particular funeral establishment;
8. Direct or indirect payment or offer of payment of a commission to others by the licensee, his agents, or employees for the purpose of securing business;
9. Use of alcohol or drugs to the extent that such use renders him unsafe to practice his licensed activity;
10. Aiding or abetting an unlicensed person to practice within the funeral service profession,
11. Using profane, indecent, or obscene language within the immediate hearing of the family or relatives of a deceased, whose body has not yet been interred or otherwise disposed of;
12. Solicitation or acceptance by a licensee of any commission or bonus or rebate in consideration of recommending or causing a dead human body to be disposed of in any crematory, mausoleum, or cemetery;
13. Violation of any statute, ordinance, or regulation affecting the handling, custody, care, or transportation of dead human bodies;
14. Refusing to surrender promptly the custody of a dead human body upon the express order of the person lawfully entitled to custody;
15. Knowingly making any false statement on a certificate of death;
16. Violation of any provisions of Chapter 7 (§ 32.1-249 et seq.) of Title 32.1;
17. Failure to comply with § 54.1-2812, and to keep on file an itemized statement of funeral expenses in accordance with Board regulations;
18. Knowingly disposing of parts of human remains, including viscera, that are received with the body by the funeral establishment, in a manner different from that used for final disposition of the body, unless the persons authorizing the method of final disposition give written permission that the body parts may be disposed of in a manner different from that used to dispose of the body;

19. Violating or failing to comply with Federal Trade Commission rules regulating funeral industry practices;
20. Violating or cooperating with others to violate any provision of Chapter 1 (§ 54.1-100 et seq.), Chapter 24 (§ 54.1-2400 et seq.), this chapter, or the regulations of the Board of Funeral Directors and Embalmers or the Board of Health;
21. Failure to comply with the reporting requirements as set forth in § 54.1-2817 for registered funeral service interns;
22. Failure to provide proper and adequate supervision and training instruction to registered funeral service interns as required by regulations of the Board;
23. Violating any statute or regulation of the Board regarding the confidentiality of information pertaining to the deceased or the family of the deceased or permitting access to the body in a manner that is contrary to the lawful instructions of the next-of-kin of the deceased;
24. Failure to include, as part of the general price list for funeral services, a disclosure statement notifying the next of kin that certain funeral services may be provided off-premises by other funeral service providers;
25. Disciplinary action against a license, certificate, or registration issued by another state, the District of Columbia, or territory or possession of the United States;
26. Failure to ensure that a dead human body is maintained in refrigeration at no more than approximately 40 degrees Fahrenheit or embalmed if it is to be stored for more than 48 hours prior to disposition. A dead human body shall be maintained in refrigeration and shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order; and
27. Mental or physical incapacity to practice his profession with safety to the public.

CHAPTER 943

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

[S 1044]

Approved April 9, 2020

Be it enacted by the General Assembly of Virginia:

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

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

Regulatory/Policy Actions – 2020 General Assembly

EMERGENCY REGULATIONS:

Legislative source	Mandate	Promulgating agency	Board adoption date	Effective date Within 280 days of enactment
SB1044	Criteria for issuance of separate licenses for embalmers and funeral directors	Funeral	10/6/20	1/14/21

NON-REGULATORY ACTIONS

Legislative source	Affected agency	Action needed	Due date
HB967/SB981	All boards	1) Collection of data on applicant who is spouse of a veteran; 2) Decision on waiver of experience requirements	July 1, 2020

**Agenda Item: Board Action – Adoption of a final regulation
(General Regulations)**

Staff Note:

Staff Note:

Included in your package are:

Copy of the Notice of proposed regulations on Townhall

Copy of the one comment on proposed regulations

Copy of amendments as proposed

Actions:

Motion to adopt the final amendments to 18VAC65-20 as presented or as amended by the Board

Virginia.gov Agencies | Governor



Agency Department of Health Professions

Board Board of Funeral Directors and Embalmers

Chapter Regulations of the Board of Funeral Directors and Embalmers [18 VAC 65 - 20]

Action: Results of periodic review

Proposed Stage

Action 5165 / Stage 8704

[Edit Stage](#) [Withdraw Stage](#) [Go to RIS Project](#)

Documents

Proposed Text	9/3/2019 3:07 pm	Sync Text with RIS
Agency Background Document	7/30/2019	Upload / Replace
Attorney General Certification	8/14/2019	
DPB Economic Impact Analysis	9/27/2019	
Agency Response to EIA	11/25/2019	Upload / Replace
Governor's Review Memo	12/17/2019	
Registrar Transmittal	12/19/2019	

Status

Incorporation by Reference	No
Exempt from APA	No, this stage/action is subject to article 2 of the <i>Administrative Process Act</i> and the standard executive branch review process.
Attorney General Review	Submitted to OAG: 7/30/2019 Review Completed: 8/14/2019 Result: Certified
DPB Review	Submitted on 8/14/2019 Economist: Jini Rao Policy Analyst: Cari Corr Review Completed: 9/27/2019 <i>DPB's policy memo is "Governor's Confidential Working Papers"</i>
Secretary Review	Secretary of Health and Human Resources Review Completed: 10/7/2019
Governor's Review	Review Completed: 12/17/2019 Result: Approved
Virginia Registrar	Submitted on 12/19/2019 The Virginia Register of Regulations Publication Date: 1/20/2020 Volume: 36 Issue: 11
Public Hearings	01/14/2020 10:00 AM canceled 03/10/2020 9:45 AM

Comment Period	Ended 3/20/2020
	1 comments

Contact Information

Name / Title:	Corie Tillman Wolf / <i>Executive Director</i>
Address:	9960 Mayland Drive Suite 300 Richmond, VA 23233
Email Address:	fanbd@dhp.virginia.gov
Telephone:	(804)367-4479 FAX: (804)527-4471 TDD: (-)

This person is the primary contact for this board.

This stage was created by Elaine J. Yeatts on 07/30/2019

16

Virginia.gov Agencies | Governor


VIRGINIA
 REGULATORY TOWN HALL


Agency

Department of Health Professions

Board

Board of Funeral Directors and Embalmers

Chapter

Regulations of the Board of Funeral Directors and Embalmers [18 VAC 65 - 20]

Action	<u>Results of periodic review</u>
Stage	<u>Proposed</u>
Comment Period	Ends 3/20/2020

[Back to List of Comments](#)
Commenter: Dianne Rencsok

3/5/20 7:59 pm

Support for Funeral Director and Embalmers Board Periodic Review

The Funeral Consumers Alliance of the Virginia Blue Ridge appreciates the periodic reviews for the Funeral Directors and Embalmers board seem to be appropriate. The board considered reducing the required hours for interns, but only received negative comments from Funeral Directors. It looks like they, therefore, left the number of required hours as 3000. This seems that they acted appropriately. The Regulations also added admonishment for sexual harassment in the workplace, which validates the significant number of women practicing in this field. Another positive addition is the requirement that Funeral homes actually respond to problems identified at inspection.

CommentID: 79465

[go back](#) | [open in word](#)**Project 5988 - Proposed****BOARD OF FUNERAL DIRECTORS AND EMBALMERS****Results of periodic review**

CHAPTER 20

REGULATIONS GOVERNING THE PRACTICE OF THE BOARD OF FUNERAL DIRECTORS AND EMBALMERS SERVICES

Part I

General Provisions

18VAC65-20-10. Definitions.

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

"Affiliation" or "affiliated" means a relationship involving a degree of common or subsidiary ownership between two establishments or entities.

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

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

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

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

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

"FTC" means the Federal Trade Commission.

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

18VAC65-20-50. Posting of license.

A. Each licensee shall post an original or photocopy of his license in a place conspicuous to consumers of funeral services in each establishment or branch where he ~~is employed~~ practices.

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

18VAC65-20-60. Accuracy of information.

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

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

C. A surface transportation and removal service shall notify the board within ~~30~~ 14 days of any change in the name of the manager ~~or~~ of record with the board.

D. All notices required by law and by this chapter to be ~~mailed~~ provided by the board to any registrant or licensee shall be validly given when mailed to the latest address of record on file with the board and shall not relieve the licensee, funeral service intern, establishment, crematory, or firm of obligation to comply. Renewal notices may be mailed or sent electronically by the board.

18VAC65-20-70. Required fees.

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

1. License to practice funeral service or as a funeral director or an embalmer	\$325
--	-------

2. Funeral service establishment license	\$600
3. Surface transportation and removal service registration	\$325
4. Courtesy card	\$325
5. Crematory	\$250
6. Waiver of full-time manager requirement	\$150

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

1. License to practice funeral service or as a funeral director or an embalmer	\$225
2. Funeral service establishment license	\$400
3. Surface transportation and removal service registration	\$300
4. Courtesy card	\$300
5. Crematory	\$200
6. Waiver of full-time manager requirement	\$100
7. <u>Inactive funeral service, funeral director, or embalmer license</u>	<u>\$115</u>

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

1. License to practice funeral service or as a funeral director or an embalmer	\$75
2. Funeral service establishment license	\$135
3. Surface transportation and removal service registration	\$100
4. Courtesy card	\$100
5. Crematory	\$75
6. Waiver of full-time manager requirement	\$35
7. <u>Inactive funeral service, funeral director, or embalmer license</u>	<u>\$40</u>

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

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

E. Other fees.

1. Change of manager or establishment name	\$100
--	-------

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

F. Fees for approval of continuing education providers.

1. Application or renewal for continuing education provider	\$400
2. Late renewal of continuing education provider approval	\$100
3. Review of additional courses not included on initial or renewal application (<u>per application for review of additional courses not per individual course</u>)	\$300

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

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

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

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

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

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

3. In order to renew a courtesy card, the courtesy card holder shall provide documentation of current unrestricted licensure for funeral service, funeral directing, or embalming from the licensing authority in the states in which the courtesy card holder is licensed to practice.

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

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

18VAC65-20-151. 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.

E. A licensee shall be exempt from the continuing education requirements for the first renewal following the date of initial licensure by examination in Virginia.

18VAC65-20-152. Continuing education providers.

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

1. Local, state, or federal government agencies;
2. Regionally accredited colleges and universities; or
3. Board-recognized national, regional, state, and local associations or organizations as follows:
 - a. National Funeral Directors Association and state chapters;
 - b. National Funeral Directors and Morticians Association and state chapters;
 - c. Association of Independent Funeral Homes of Virginia;
 - d. Cremation Association of North America;
 - e. American Board of Funeral Service Education;
 - f. International Conference of Funeral Service Examining Boards;
 - g. Virginia Morticians Association; and
 - h. Other similar associations or organizations as approved by action of the board.

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

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

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

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

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

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

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

4. If additional courses are submitted for board approval beyond those courses submitted with an initial or renewal application, the continuing education provider shall remit the fee for review under 18VAC65-20-70.

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

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

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

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

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

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

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

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

1. Official transcripts showing credit hours earned from an accredited institution; or
2. Certificates of completion from approved providers.

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

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

18VAC65-20-154. Inactive license.

A. A funeral service licensee, a funeral director, or an embalmer who holds a current, unrestricted license in Virginia shall, upon a request for inactive status on the renewal application and submission of the required renewal fee of \$145, be issued an inactive license. ~~The fee for late renewal up to one year following expiration of an inactive license shall be \$40.~~

1. An inactive licensee shall not be entitled to perform any act requiring a license to practice funeral service in Virginia.
2. The holder of an inactive license shall not be required to meet continuing education requirements, except as may be required for reactivation in subsection B of this section.

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

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

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

Part III

Requirements for Licensure

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

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

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

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

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

E. The application for licensure of a branch or chapel shall specify the name of the main establishment and contain an attestation of the affiliation of the branch or chapel and the main establishment.

F. In the event of an emergency requiring the evacuation or discontinued use of a funeral establishment, the impacted establishment may be approved by the board to continue operations out of another licensed funeral establishment for a period of no more than 60 days. The impacted establishment may request an extension of emergency operations for an additional 30 days upon good cause shown. In requesting approval for conducting emergency operations under this section, the impacted funeral establishment shall submit documentation that identifies the manager of record for both the impacted establishment and establishment for emergency operations and any agreement for emergency usage.

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

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

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

1. Maintenance of the facility within standards established in this chapter;
2. Retention of reports and documents as prescribed by the board in 18VAC65-20-700 during the period in which he serves as manager of record; ~~and~~
3. Reporting to the board of any changes in information as required by 18VAC65-20-60; and
4. Correcting or seeking corrections of any deficiencies identified during the course of an inspection of the establishment.

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

A. Application requirements. ~~4.~~ Applicants shall submit official mortuary school transcripts and national examination board scores as part of an application package, including the required fee and any additional documentation as may be required to determine eligibility.

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

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

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

Part IV Registration

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

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

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

18VAC65-20-435. Registration of crematories.

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

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

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

1. Maintenance of the facility within standards established in this chapter;
2. Retention of reports and documents as prescribed by the board in 18VAC65-20-436 during the period in which he serves as crematory manager; and
3. Reporting to the board of any changes in information as required by 18VAC65-20-60.

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

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

F. When a crematory application is pending and the conduct of a cremation is necessary to ensure the proper function of retort equipment, the board may authorize the crematory to conduct a test cremation prior to registration. Once the crematory equipment is deemed functional and an initial crematory inspection is completed, the board may issue the crematory a registration to operate.

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

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

A. Authorization to cremate.

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

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

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

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

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

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

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

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

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

C. Handling of human remains.

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

- a. Be composed of readily combustible materials suitable for cremation;
- b. Be able to be closed in order to provide complete covering for the human remains;
- c. Be resistant to leakage or spillage; and
- d. Be rigid enough for handling with ease.

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

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

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

1. The cremation authorization form signed by the person authorized by law to dispose of the remains and the form on which the ~~next of kin~~ next of kin or the person authorized by §

54.1-2818.1 of the Code of Virginia to make the identification has made a visual identification of the deceased or evidence of positive identification if visual identification is not feasible;

2. The permission form from the medical examiner;

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

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

Part V

Issuance of Courtesy Cards

18VAC65-20-440. Courtesy cards.

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

B. An applicant for a courtesy card shall submit:

1. A completed application and prescribed fee; and

2. Verification of a current, unrestricted licensure for funeral service license in good standing from the applicant's licensing authority, funeral directing, or embalming from the licensing authorities in the states in which the courtesy card holder is licensed to practice.

C. The holder of a Virginia courtesy card shall only engage in the practice for which he is currently licensed in another jurisdiction. The privilege to practice shall not include the right to establish or engage generally in the business of funeral directing and embalming in Virginia.

Part VI

Refusal, Suspension, Revocation, and Disciplinary Action

18VAC65-20-500. Disciplinary action.

In accordance with the provisions of § 54.1-2806 of the Code of Virginia, the following practices are considered unprofessional conduct and may subject the licensee to disciplinary action by the board:

1. Breach of confidence. The unnecessary or unwarranted disclosure of confidences by the funeral licensee.
2. Unfair competition.
 - a. Interference by a funeral service licensee, funeral director, or registered surface transportation and removal service when another has been called to take charge of a dead human body and the caller or agent of the caller has the legal right to the body's disposition.
 - b. Consent by a funeral service licensee or funeral director to take charge of a body unless authorized by the person or his agent having the legal right to disposition.
3. False advertising.
 - a. No licensee or registrant shall make, publish, disseminate, circulate, or place before the public, or cause directly or indirectly to be made, an advertisement of any sort regarding services or anything so offered to the public ~~which~~ that contains any promise, assertion, representation, or statement of fact which is untrue, deceptive, or misleading.
 - b. The following practices, both written and verbal, shall constitute false, deceptive, or misleading advertisement within the meaning of subdivision 4 of § 54.1-2806 of the Code of Virginia:
 - (1) Advertising containing inaccurate statements; and
 - (2) Advertisement which gives a false impression as to ability, care, and cost of conducting a funeral, or that creates an impression of things not likely to be true.
 - c. The following practices are among those ~~which~~ that shall constitute an untrue, deceptive, and misleading representation or statement of fact:
 - (1) Representing that funeral goods or services will delay the natural decomposition of human remains for a long term or indefinite time; and

- (2) Representing that funeral goods have protective features or will protect the body from gravesite substances over or beyond that offered by the written warranty of the manufacturer.
4. Inappropriate handling and storage of dead human bodies, consistent with § 54.1-2811.1 of the Code of Virginia and regulations of the board. Transportation and removal vehicles shall be of such nature as to eliminate exposure of the deceased to the public during transportation. During the transporting of a human body, consideration shall be taken to avoid unnecessary delays or stops during travel.
 5. Failure to furnish price information disclosing the cost to the purchaser for each of the specific funeral goods and funeral services used in connection with the disposition of deceased human bodies.
 6. Conducting the practice of funeral services in such a manner as to constitute a danger to the health, safety, and well-being of the staff or the public.
 7. Inability to practice with skill or safety because of physical, mental, or emotional illness, or substance abuse.
 8. Failure to register as a supervisor for a funeral service intern or failure to provide reports to the board as required by the Code of Virginia and 18VAC65-40-320.
 9. Failure to comply with applicable federal and state laws and regulations, including requirements for continuing education.
 10. Inappropriate sexual contact between a supervisor and a funeral service intern if the sexual contact is a result of the exploitation of trust, knowledge, or influence derived from the professional relationship or if the contact has had or is likely to have an adverse effect on the practice of funeral services or on intern training.

Part VII

Standards for Embalming and Refrigeration

18VAC65-20-510. Embalming.

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; and
5. The name of each student and the signature of the supervisor of any mortuary science student who assisted in the embalming.

18VAC65-20-580. Preparation room equipment.

The preparation room or rooms shall be equipped with:

1. A ventilation system which operates and is appropriate to the size and function of the room;
2. Running hot and cold water;
3. Flush or slop sink connected with public sewer or with septic tank where no public sewer is available;
4. Metal, fiberglass, or porcelain morgue table;
5. Covered waste container;
6. Instruments and apparatus for the embalming process;

7. A means or method for the sterilization or disinfection of reusable instruments by chemical bath or soak; autoclave (steam); or ultraviolet light;
8. Disinfectants and antiseptic solutions;
9. Clean gowns or aprons, preferably impervious to water;
10. Rubber gloves for each embalmer ~~or~~, intern, or student using the room;
11. An electric aspirator or hydroaspirator equipped with a vacuum breaker;
12. An eye wash station that is readily accessible; and
13. A standard first aid kit, ~~which~~ that is immediately accessible, either in the preparation room or outside the door to the preparation room.

18VAC65-20-700. Retention of documents.

A. The following retention schedule shall apply:

1. Price lists shall be retained for three years after the date on which they are no longer effective;
2. Itemized statements shall be retained for three years from the date on which the arrangements were made; and
3. Embalming reports shall be retained at the location of the embalming for three years after the date of the embalming.

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

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

D. In instances where the funeral establishment is sold, documents shall be transferred to the new owner, unless the existing firm is relocating to a new facility. The new owner shall retain transferred documents in accordance with the provisions of this section. When transferred documents include preneed contracts, the documents shall be retained and maintained in accordance with the provisions of the Code of Virginia and regulations of the board.

**Agenda Item: Board Action –Adoption of final amendments
(Preneed)**

Staff Note:

Included in your package are:

Copy of the Notice of proposed regulations on Townhall – no comments were received

Copy of amendments as proposed

Actions:

Motion to adopt the final amendments to 18VAC65-30 as presented or as amended by the Board

Virginia.gov Agencies | Governor

VIRGINIA
REGULATORY TOWN HALL**Agency** Department of Health Professions**Board** Board of Funeral Directors and Embalmers**Chapter** Regulations for Pread Funeral Planning [18 VAC 65 - 30]**Action:** Periodic review 2018**Proposed Stage**

Action 5220 / Stage 8786

[Edit Stage](#) [Withdraw Stage](#) [Go to RIS Project](#)

Documents

Proposed Text	1/29/2020 8:05 am	Sync Text with RIS
Agency Background Document	10/15/2019 (modified 11/22/2019)	Upload / Replace
Attorney General Certification	10/25/2019	
DPB Economic Impact Analysis	12/9/2019	
Agency Response to EIA	1/8/2020	Upload / Replace
Governor's Review Memo	1/7/2020	
Registrar Transmittal	1/8/2020	

Status

Incorporation by Reference	No
Exempt from APA	No, this stage/action is subject to article 2 of the <i>Administrative Process Act</i> and the standard executive branch review process.
Attorney General Review	Submitted to OAG: 10/15/2019 Review Completed: 10/25/2019 Result: Certified
DPB Review	Submitted on 10/25/2019 Economist: Oscar Ozfidan Policy Analyst: Cari Corr Review Completed: 12/9/2019 <i>DPB's policy memo is "Governor's Confidential Working Papers"</i>
Secretary Review	Secretary of Health and Human Resources Review Completed: 12/26/2019
Governor's Review	Review Completed: 1/7/2020 Result: Approved
Virginia Registrar	Submitted on 1/8/2020 The Virginia Register of Regulations Publication Date: 2/3/2020 Volume: 36 Issue: 12
Public Hearings	03/10/2020 9:30 AM

Comment Period	Ended 4/3/2020 0 comments
-----------------------	------------------------------

Contact Information	
Name / Title:	Corie Tillman Wolf / <i>Executive Director</i>
Address:	9960 Mayland Drive Suite 300 Richmond, VA 23233-1463
Email Address:	corie.wolf@dhp.virginia.gov
Telephone:	(804)367-4546 FAX: (804)527-4637 TDD: ()-

This person is the primary contact for this chapter.

This stage was created by Elaine J. Yeatts on 10/15/2019

16

Project 5826 - Proposed**BOARD OF FUNERAL DIRECTORS AND EMBALMERS****Periodic review 2018**

Part I

General Information

18VAC65-30-10. Definitions.

In addition to those defined in § 54.1-2800 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

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

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

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

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

"Contract" means a written, preneed funeral contract, and all documents pertinent to the terms of the contract under which, for consideration paid to a contract seller or a contract provider by or on

behalf of a contract buyer prior to the death of the contract beneficiary, a person promises to furnish, make available, or provide funeral services or funeral goods after the death of a contract beneficiary.

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

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

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

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

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

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

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

"Guaranteed contract price" means (i) the amount paid by the contract buyer on a preneed funeral contract, and income derived from that amount, or (ii) the amount paid by a contract buyer for

a life insurance policy or annuity as the funding source and its increasing death benefit. These amounts shall be accepted as payment in full for the preselected funeral goods and services.

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

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

Part II

Sale of Preneed Plans

18VAC65-30-50. Solicitation.

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

B. After a request to discuss preneed planning is initiated by the contract buyer or interested consumer, any contact and in-person communication shall take place only with a funeral service licensee. Funeral service interns shall not engage in preneed planning or sales.

Part III

Operational Responsibilities

18VAC65-30-60. Records; general.

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

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

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

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

18VAC65-30-70. Record reporting.

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

1. Name of contract buyer;
2. Name of contract beneficiary;
3. Date of contract;
4. How contract was funded, where the contract is funded, and where the funds are maintained;
5. Whether up to 10% of funds are retained by the contract provider for contracts funded through trust; and
6. Whether funeral goods and supplies are stored for the contract buyer.

B. A contract provider ~~who~~ that discontinues its business operations, whether by closure or change of ownership, shall notify the board and each existing contract buyer in writing- in accordance with the following provisions:

1. A contract provider that discontinues its business operations by closure shall:
 - a. Provide to the board a current list of preneed contracts at the time of closure; and
 - b. Notify each existing contract buyer in writing prior to closure and include a statement in the notification regarding the contract buyer's right to change the contract provider at any time prior to at-need.
2. If a contract provider changes ownership and the new establishment intends to honor existing contracts, the new establishment shall provide notice of the change of ownership and intent to honor existing contracts in a publication of general circulation in the locality where the establishment is located within 90 days after the change in ownership.
3. If a contract provider changes ownership and the new establishment does not intend to honor existing contracts, notification shall be provided to each existing contract buyer in writing within 90 days after the change in ownership. The notice shall include a statement

regarding the contract buyer's right to change the contract provider at any time prior to at-need.

Part V

Disclosures

18VAC65-30-90. Disclosures.

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

B. Immediately upon concluding the arrangement conference, licensees shall furnish to each person who makes a preneed arrangement a copy of the preneed contract and funding contract. Licensees shall receive a written acknowledgment from the contract buyer that the buyer has received a copy of the general price list and preneed disclosure questions and answers.

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

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

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

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

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

1. All consideration paid or delivered on nonguaranteed items;
2. At least 90% of all consideration paid for guaranteed items; and
3. All interest or income accrued on it.

D. If the contract buyer uses an irrevocable trust as the funding source, the contract buyer is not able to cancel the trust after 30 days following its execution except in accordance with § §§ 64.2-729 and 64.2-730 of the Code of Virginia.

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

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

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

1. Name of the contract provider;
2. Name and funeral license number of contract seller;
3. Place of employment of contract seller;
4. Name of insurance agent and agent's insurance license number;
5. Insurance agent's employer and insurance company represented by insurance agent; and
6. Identification as to whether the insurance agent is a funeral service licensee and, if so, the funeral service license number.

Part VIII

Required Content of Contracts and Disclosures

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

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

Date: _____

Contract: _____

PRENEED FUNERAL CONTRACT

for

(Name of Recipient of Services)

_____ (Zip) _____

I. SUPPLIES AND SERVICES PURCHASED

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

If goods and services are nonguaranteed, your family or estate may incur additional costs for goods and services as the prices for these items may increase from the date of the contract to the time of need.

Cash advance items are not guaranteed. A cash advance item is any item obtained from a third party by the funeral home on your behalf. Cash advance items may include cemetery or crematory services, pall bearers, public transportation, clergy honoraria, flowers, musicians or singers, nurses, obituary notices, gratuities, and death certificates.

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

Guaranteed Services Purchased	
I. BASIC SERVICES OF FUNERAL DIRECTOR AND STAFF	\$ _____
II. FUNERAL HOME FACILITIES	
A. Facilities and Staff for visitation/viewing	\$ _____
B. Facilities and Staff for funeral ceremony	\$ _____
C. Facilities and Staff for memorial service	\$ _____
D. Equipment and Staff for graveside service	\$ _____
(NOTE TO FUNERAL HOME: If you have additional charges such as facilities and staff for home/church viewing, or a charge for additional staff person or through calculation of manhours, etc., add here as extra items. If you have a charge for equipment for interment, add here.)	
III. EMBALMING	
A. Normal remains	\$ _____
B. Autopsy remains	\$ _____
IV. OTHER PREPARATION OF THE BODY	\$ _____
(NOTE: List all items that you placed under Other Preparation on your General Price List.)	
V. IMMEDIATE BURIAL	\$ _____

VI. DIRECT CREMATION	\$ _____
VII. TRANSFER OF REMAINS TO FUNERAL ESTABLISHMENT	\$ _____
VIII. FORWARDING REMAINS TO ANOTHER FUNERAL HOME	\$ _____
IX. RECEIVING REMAINS FROM ANOTHER FUNERAL HOME	\$ _____
X. AUTOMOTIVE EQUIPMENT	
A. Hearse	\$ _____
B. Limousine	\$ _____
(NOTE: List all others that you placed on General Price List.)	
XI. FUNERAL MERCHANDISE	
A. Casket (*describe)	

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

_____	\$ _____
C. List any others	
_____	\$ _____
Supplies Purchased	
Clothing	\$ _____
Temporary marker	\$ _____
Acknowledgment cards	\$ _____
Register/attendance books	\$ _____
Memorial folders	\$ _____
Other	\$ _____
SUBTOTAL COSTS OF (GUARANTEED) SUPPLIES PURCHASED:	\$ _____
XII. PACKAGE PRICES	
(NOTE: List all package prices by name.)	
SUBTOTAL COSTS OF (GUARANTEED) SUPPLIES PURCHASED:	\$ _____
Nonguaranteed Goods and Services Purchased	
The actual prices of goods and services below are NOT GUARANTEED. These items may include, but not be limited to, obituary notices, death certificates, cemetery fees, flowers, sales tax, etc. The prices are estimated and the estimates will be included in the Grand Total Contract Price. The differences between the estimated prices below and the actual cost will be settled with your family or estate at the time of need:	
SUBTOTAL ESTIMATED COSTS OF NONGUARANTEED ITEMS:	\$ _____
GRAND TOTAL FOR PRENEED ARRANGEMENTS	

1. Total cost of (guaranteed) services purchased	\$ _____
2. Total cost of (guaranteed) supplies purchased	\$ _____
3. Total estimated cost of nonguaranteed items	\$ _____
GRAND TOTAL	\$ _____
The only warranties, express or implied, granted in connection with the goods sold in this preneed funeral contract, are the express written warranties, if any, extended by the manufacturers thereof. No other warranties and no warranties of MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE are extended by the (funeral home)	
II. GENERAL INFORMATION	
In order that the Buyer may understand the relationship of all parties involved in this preneed arrangement and contract, the following is provided:	
A. Buyer:	
B. Funeral Home Providing Services:	
C. Contract seller:	
Employed by: (Funeral Home)	
Virginia Funeral Director or Funeral Service Licensee License Number:	

~~Method of Funding~~ II. METHOD OF FUNDING

A. Insurance

~~B.~~ A. Trust

The following information will be given if a trust is used to fund this agreement:

1. Amount to be trusted:
2. Name of trustee:
3. Disposition of Interest:
4. Fees, expenses, taxes deducted from earned interest:
5. Buyer's responsibility for taxes owned on interest:

B. Insurance or annuity contract.

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

A. 1. Buyer:

~~B.~~ 2. Insurance Company:

~~C~~ 3. Insurance Agent:

Employed by: (Insurance Company)

Licensed Funeral Director or Funeral Service Licensee in Virginia: ___yes ___no

Funeral Director or Funeral Service Licensee License Number (If Applicable):

Employed by Funeral Home (If Applicable):

~~D~~ 4. The life insurance or annuity contract provides either that:

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

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

III. CONSUMER INFORMATION

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

The Board of Funeral Directors and Embalmers

9960 Mayland Drive, Suite 300

Richmond, Virginia 23233

Telephone Number: (804) 367-4479

Toll Free Number for complaints: 1-800-533-1560

FAX: (804) 527-4413

Website: www.dhp.virginia.gov

IV. DISCLOSURES

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

information in clear and simple language including the language of the funding agreement for this preneed arrangement.

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

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

By signing this contract, contract seller acknowledges that the General Price List and the required disclosures have been furnished to the contract buyer.

V. TERMINATION OF CONTRACT

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

Within 30 days

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

More than 30 days

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

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

VI. STATEMENT OF GUARANTEE

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

_____ Prefinancing guarantees that no additional payment will be required from the family or estate for guaranteed services and supplies provided the Grand Total of these arrangements is paid

in full and the interest is allowed to accumulate in your account (see page _____ for Grand Total amount). Payment of the difference will be required for the nonguaranteed estimated items if they increase in price.

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

VII. AGREEMENT

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

(Designee of Funeral Home)

(Buyer)

(Funeral Home)

(Contract Date)

VIII. PENALTIES OR RESTRICTIONS

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

1. (Insert geographic restrictions);
2. (Insert an explanation of the Funeral Home's inability to perform the request(s) of the Buyer);
3. (Insert a description of any other circumstances ~~which~~ that apply);
4. (Insert information that if particular goods and services specified in the contract are unavailable at the time of need):
 - A. The funeral home shall be required to furnish supplies and services similar in style and at least equal in quality of material and workmanship; and
 - B. The representative of the deceased shall have the right to choose the supplies or services to be substituted.

Addendum to Preneed Contract IX. ADDENDUM TO PRENEED CONTRACT

APPOINTEE AGREEMENT

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

Contract Beneficiary: _____ Date: _____

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

Appointee: _____ Date: _____

The foregoing was acknowledged before me this _____ day of _____, 19____
20____

Notary: _____

Date Commission Expires: _____

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

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

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

PRENEED CONTRACTS

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

Yes. Guaranteed contracts mean that the costs of certain individual items or the cost of the total package will never be more to your family or estate. Nonguaranteed ~~means~~ contracts mean just the opposite. Nonguaranteed contracts mean costs may increase or decrease between the time of the agreement and the time of need. A preneed contract may have both guaranteed and nonguaranteed costs. (See the section entitled "General Funding Information" for more information on guaranteed and nonguaranteed costs.)

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

-- What are my protections?

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

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

CANCELLATION

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

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

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

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

If you have funded your preneed arrangement through an irrevocable trust, you will not be able to cancel the trust agreement or receive a refund after 30 days following ~~its execution~~ the signing of the agreement except in accordance with ~~§ 64.2-729~~ §§ 64.2-729 and 64.2-730 of the Code of Virginia.

If you funded your preneed arrangement through an insurance policy/annuity contract which will be used at the time of your death to purchase the supplies and services you have

selected, you will need to pay careful attention to the cancellation terms and conditions of the policy. You may not be eligible for a refund.

PAYMENT

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

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

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

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

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

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

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

You may decide not to transfer the title of the personal property to the contract seller of your preneed contract. In this situation, you will have to submit information to the contract seller in

writing that you are giving him the property without a title, and describe the property and where it will be kept until the time of your death.

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

GENERAL FUNDING INFORMATION

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

There is a possibility that the funding may fail to keep up with inflation. This could mean that the funding you choose ~~could have insufficient~~ may not have enough value to cover all expenses at the time of need.

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

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

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

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

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

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

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

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

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

(Funeral home shall place answer here)

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

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

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

(Funeral home shall place answer here)

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

(Funeral home shall place answer here)

-- What happens if the funeral home closes? Will I be able to transfer my contract to another funeral home?

You have the right to change the funeral home (contract provider) at any time prior to receiving services or supplies under the preneed contract. A funeral home is required to notify you in writing if it closes or is sold to a buyer that does not intend to honor your preneed contract.

TRUST ACCOUNT

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

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

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

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

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

Some trust accounts cannot be cancelled.

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

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

(Funeral home shall place answer here)

CLAIMS AGAINST THIS CONTRACT

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

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

These funds cannot be garnished.

-- Can the money or property be taxed?

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

GENERAL GOODS AND SERVICES

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

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

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

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

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

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

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

For example, what would happen if you select a casket ~~which~~ that is in-stock at the time you make these arrangements and the funeral home or supplier agrees to store it for you in their warehouse and: (i) damage occurs, (ii) the funeral home or supplier goes out of business, (iii)

the funeral home or supplier is sold, etc.? You need to be assured in writing of protection in these types of situations.

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

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

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

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

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

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

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

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

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

PRICING

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

The funeral home maintains a general price list and a casket and outer burial container price list. Your contract seller will give this to you before you begin talking about arrangements. After your discussion is finished, you will be given a copy of your preneed contract on which charges will be listed. Charges will only be made for the items you select. If there are any legal or other requirements that mandate that you must buy any items you did not specifically ask for, the contract seller will explain the reason for the charges to you in writing.

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

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

-- What is meant by guaranteed and nonguaranteed prices?

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

Guaranteed prices are those that will not increase for your family or estate at the time of your death, provided your preneed contract is fully paid for or funded at the time of your death. Basically, this means that your funeral arrangement for those items will be covered by and will not exceed your funding and the interest it earns.

Nonguaranteed prices are those which might increase or decrease. The nonguaranteed prices may be written in at the time of this contract with you your understanding that the price is an estimate only and may increase or decrease. A settlement ~~to that effect~~ of any difference in the estimated cost and the actual cost at death may have to be made with your family or representative after your death. Examples of prices that are often not guaranteed include cemetery or crematory services, pallbearers, public transportation, clergy honoraria, flowers musicians or singers, obituary notices, gratuities, and death certificates.

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

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

CASKETS AND CONTAINERS

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

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

-- Is a casket required?

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

-- Do certain cemeteries and crematoriums have special requirements?

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

EMBALMING

-- Is embalming always required?

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

RECORDS

-- What should I do with my preneed contract and documents?

A preneed contract is a legal document. You should keep a copy of your preneed contract and related documentation as you would any similar legal document such as in a safe place or with the person designated to make arrangements at the time of your death.

-- Will the funeral home keep a copy of the preneed contract?

The funeral home is required to maintain a copy of the preneed contract on file prior to and after need. Preneed contracts and related documents are required to be kept by the funeral home for three years after your death.

ASSISTANCE

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

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

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

You may direct your complaints or concerns to:

The Board of Funeral Directors and Embalmers

9960 Mayland Drive, Suite 300

Richmond, Virginia 23233

Telephone Number: (804) 367-4479

Toll Free Number for complaints: 1-800-533-1560

Fax: (804) 527-4413

Website: www.dhp.virginia.gov

Agenda Item: Board Action – Adoption of Revisions to Bylaws of the Board (Guidance Document 65-10)

Staff Note:

Included in your package are:

Copy of proposed revisions to Bylaws of the Board (Guidance Document 65-10)

Actions:

Motion to adopt the revisions to the Board Bylaws, Guidance Document 65-10, as presented or as amended by the Board

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

BYLAWS

ARTICLE I: ~~GENERAL AUTHORIZATION~~

A. Statutory and Regulatory Authority.

The Virginia Board of Funeral Directors and Embalmers (“Board”) is established and operates pursuant to Sections 54.1-2400 and 54.1-2800 et seq., of the Code of Virginia. Regulations promulgated by the Board may be found in 18 VAC 65-20, Chapters 11, 20, 30, and 40.

B. Duties.

The Board is authorized to license individuals and establishments providing funeral and/or embalming services, to regulate and inspect funeral establishments and crematories, to supervise programs for funeral service interns, to regulate preneed funeral contracts and preneed funeral trust accounts, to register crematories, and to promulgate regulations to improve and promote standards of service and practice and otherwise carry out the licensing act.

C. Mission.

The mission of the Department of Health Professions is to ensure the delivery of safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to healthcare practitioners and the public.

ARTICLE II: OFFICERS OF THE BOARD

A. Members and Duties.

1. The Board consists of nine members appointed by the Governor in accordance with Virginia Code § 54.1-2802.

2. Members shall attend all scheduled meetings of the Board and ~~the~~ committee(s) ~~to~~ on which they serve unless prevented by illness or similar unavoidable cause. In the event of two consecutive unexcused absences at any meeting of the Board or its committees, the President shall make a recommendation about the Board member’s continued service to the Director of the Department of Health Professions for referral to the Secretary of Health and Human Resources and Secretary of the Commonwealth.

3. Members of the Board shall not hold a voting office in any related professional association within the Commonwealth of Virginia or one that takes a policy position on the regulations of the Board. Members of the Board holding office in a national professional association shall abstain from voting on issues where there may be a conflict of interest present.

B. Election of Officers.

1. The organizational year for the Board shall be from July 1st through June 30th.

2. During the ~~last first quarter meeting~~ of the organizational year, the Board shall elect from its members a President, Vice-President, and Secretary-Treasurer.
3. The term of office shall be one year; an officer may be re-elected in that same position for a second consecutive term.
4. Nominations for office shall be ~~selected by open ballot, and~~ received from the floor and elections conducted by voice vote; election shall require a majority of the quorum of members present.
5. A vacancy occurring in any office shall be filled during the next meeting of the Board.

B. Duties of Officers.

1. The President presides at all meetings and formal administrative hearings in accordance with parliamentary rules and the Administrative Process Act, and requires ~~adherence of it to those~~ rules on the part of the board members. The President shall appoint all committees and committee chairpersons unless otherwise ordered or delegated by the Board.
2. The Vice-President shall act as President in the absence of the President.
3. The Secretary-Treasurer shall perform those duties necessary and usually pertaining to such office and shall preside in the absence of the President and the Vice-President.
4. In the absence of the President, Vice-President and Secretary-Treasurer, the President shall appoint another board member to preside at the meeting and/or formal administrative hearing.

C. Duties of Executive Director.

The Executive Director shall be the custodian of all Board records and all papers of value; ~~She/He~~ shall preserve a correct list of all applicants and licensees; ~~She/He~~ shall manage the correspondence of the Board; and shall perform all such other duties as naturally pertain to this position.

ARTICLE III: MEETINGS:

- A. For purposes of these Bylaws, the Board schedules full board meetings to take place during each quarter, with the right to change the date or cancel any board meeting, with the exception that the Board shall hold at least two meetings each year pursuant to Virginia Code § 54.1-2802 a minimum of one meeting shall take place annually.
- B. Board members shall attend all board meetings in person, or by electronic means as permitted by law and Board policy, unless prevented by illness or similar unavoidable cause. A majority of the members of the Board shall constitute a quorum for the transaction of business.
- C. The current edition of Robert's Rules of Order, revised, shall apply unless overruled by these bylaws or when otherwise agreed.

D. The order of the business shall be as follows:

1. Call to order with statement made for the record of how many and which board members are present and that it constitutes a quorum.
2. Approval of minutes.
3. The Executive Director and the President shall collaborate on the remainder of the agenda.

ARTICLE IV: COMMITTEES

A. Standing Committees:

1. Special Conference Committee.

The committee shall consist of at least two board members. The committee shall hold informal conferences with the right to change the date or cancel any meeting. The President may designate ~~another two additional~~ board members as ~~an~~ alternates on this *committee who may be contacted to serve* in the event one of the standing committee members becomes ill or is unable to attend a scheduled conference date. Further, should the caseload increase to the level that additional special conference committees are needed, the President may appoint additional committees.

2. Examination Committee.

The committee shall consist of three board members, two funeral service licensees and one citizen member. The committee shall meet as required for the purpose of writing new items for the jurisprudence examination to maintain the integrity, defensibility and current status of the examination for the purpose of licensure.

3. Credentials Committee.

The committee shall consist of *at least* two board members. The members of the committee shall review non-routine licensure applications to determine the credentials of the applicant and the applicability of the statutes and regulations.

4. Legislative/Regulatory Committee.

The committee shall consist of at least three Board members. The committee is responsible for the development of proposals for new regulations or amendments to existing *regulations*; the recommendation *in* ~~on~~ response to a petition for rulemaking; the development of proposals for legislative initiatives of the Board; the *consideration of and recommended response to drafting of Board responses to* public comment as required in conjunction with rulemaking; *the conduct of conducting* the required *periodic* review of all existing regulations as required by the Board's Public Participation Guidelines and any Executive Order of the Governor, and other required tasks related to regulations. *Any proposed draft regulation or draft legislation shall be reviewed and approved by the full Board prior to publication.*

5. Continuing Education Committee.

The committee shall consist of at least two board members. *The members of the committee shall who review requests from licensees ~~for exemptions from continuing education requirements, from applicants for approval as funeral service continuing education providers and for approval of courses,~~ and ~~who shall meet as required to review applications for approval of continuing funeral service education programs and~~ other matters related to continuing education. The Board delegates the approval of ~~continuing~~ funeral service *continuing education* programs to the committee.*

B. Ad Hoc Committees:

There may be Ad Hoc Committees consisting of at least two persons who are knowledgeable in the particular area of practice or education under consideration by the Board. The committee shall review matters as requested by the Board and advise or make recommendations for consideration by the Board.

ARTICLE V: GENERAL DELEGATION OF AUTHORITY*A. Delegation to Executive Director, Board staff, and/or Department of Health Professions staff.*

1. The Board delegates to Board staff the authority to issue and renew licenses, registrations and certificates where minimum *statutory and regulatory* qualifications have been met.
2. The Board delegates to the Executive Director the authority to reinstate licenses, registrations and certificates when the reinstatement is due to the lapse of the license, registration or certificate and not due to previous Board disciplinary action unless specified in the Board order.
3. The Board delegates to Board staff the authority to develop and approve any and all forms used in the daily operations of the Board business, to include, but not limited to, licensure applications, renewal forms, and documents *used in the disciplinary process*.
4. The Board delegates to the Executive Director the authority to sign as entered any Order or Board-approved Consent Order resulting from the disciplinary process.
5. The Board delegates to the Executive Director, who may consult with a special conference committee member, the authority to provide guidance to the agency's Enforcement Division in situations wherein a complaint is of questionable jurisdiction and an investigation may not be necessary.
6. The Board delegates to the Executive Director, who shall consult with a member of ~~a special conference committee~~ *the Board*, the authority to review information regarding alleged violations of law or regulations and determine whether probable cause exists to proceed with possible disciplinary action.

- ~~7. The Board delegates to the President, the authority to represent the Board in instances where Board “consultation” or “review” may be requested where a vote of the Board is not required and a meeting is not feasible.~~
7. The Board delegates to the Executive Director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being convened.
8. The Board delegates to the Department of Health Professions’ inspectors the authority to issue a Compliance Notice upon completion of an inspection, and the Board delegates to the Executive Director the authority to issue letters regarding reported deficiencies to the facilities or licensees.
9. The Board delegates to the Executive Director the review and approval of hardship waiver applications. Should the Executive Director receive a non-routine application regarding the waiver provision, the application may be reviewed for approval by the Credentials Committee.
10. The Board delegates to the Executive Director, the authority to approve applications with criminal convictions in accordance with Guidance Document 65-3.
11. The Board delegates to the Executive Director the authority to issue an Advisory Letter to the person who is the subject of a complaint pursuant to Virginia Code § 54.1-2400.2(G), when a probable cause review indicates a disciplinary proceeding will not be instituted.
12. The Board delegates to the Executive Director the authority to offer a confidential consent agreement or a Consent Order for action consistent with any board-approved guidance document, or to negotiate a Consent Order in consultation with the chair of a Special Conference Committee or formal hearing.
13. The Board delegates to the Executive Director the authority to grant an individual extension for good cause shown for up to one (1) year for the completion of education requirements upon written request from the licensee prior to the renewal date.
14. The Board authorizes the Executive Director to delegate tasks to the Deputy Executive Director.

B. Delegation to Board President.

The Board delegates to the President the authority to represent the Board in instances where Board “consultation” or “review” may be requested, where a vote of the Board is not required, and where a meeting is not feasible.

C. Delegation to Agency Subordinate.

The Board may delegate an informal fact-finding proceeding to any agency subordinate in accordance with 18VAC65-20-15 of the Regulations of the Board of Funeral Directors and Embalmers.

ARTICLE VI. AMENDMENTS

A board member or staff personnel may propose amendments to these Bylaws by presenting the amendment in writing to all Board members prior to any regularly scheduled meeting of the Board. Such proposed amendment shall be adopted upon favorable vote of at least two-thirds of the Board members present at said meeting.

DRAFT

Agenda Item: Board Action – Adoption of Revisions to Guidance Document 76-21.3.1, Funeral Inspection Report

Staff Note:

Included in your package are:

Copy of proposed revisions to Funeral Inspection Report (Main and Branch Establishments) (Guidance Document 76-21.3.1)

Summary of Revisions to Appendix I, II, III – Adopted October 10, 2019

Actions:

Motion to adopt the revisions to the Funeral Inspection Report, Guidance Document 76-21.3.1, as presented or as amended by the Board

Board of Funeral Directors and Embalmers

Recent Changes to Appendices I, II, III (Approved October 10, 2019)

Appendix I

VI. Immediate Burial

- Addition of "C. Immediate burial with highest priced casket"

VIII. Direct Cremation

- Addition of "C. Cremation with highest priced casket acceptable for cremation"

XIII. Funeral Merchandise

The following amendment appears under both paragraphs A (caskets) and B (outer burial containers)

"A complete price list will be provided at the funeral **home**"

Appendix II

On the OBCPL, one missing word was added in the note, but does not alter document itself:

(*Note: You are required to list sufficient identifying information in order that your families can tell the difference between **one** outer burial container over another.)

Appendix III

The two notes related to embalming have been updated based upon the Board's recent regulation changes to require express authorization for embalming.

III. Embalming

(*Note: **Embalming authorization language not required on this form**; could be a separate form.)
Reason for embalming: _____

(*Note: **Reason for embalming could go on the disclosure page.**)

X. Automotive Equipment and Services

"or ___ per mile" added as an option:

Local service beyond _____ miles, add \$ _____ per vehicle **or \$ _____ per mile.**

Acceptance - Signature Line

"Funeral Service Provider" is replaced with "Funeral Service **Licensee**" on the template for the signature line.

Commonwealth of Virginia - Department of Health Professions

Funeral Inspection Report

www.dhp.virginia.gov

804-367-4400

		Date	Time	Inspection Hours
Name of Funeral Establishment or Branch	<input type="checkbox"/> Establishment: License No 0501	<input type="checkbox"/> PENDING	Exp:	
	<input type="checkbox"/> Branch: License No 0511	<input type="checkbox"/> PENDING	Exp:	
Street Address	City	State VIRGINIA	ZIP	Telephone
Manager	License No: 0502	Expiration Date	Fax	
Type of Inspection				Email
<input type="checkbox"/> New/COL <input type="checkbox"/> Routine <input type="checkbox"/> Reinspection <input type="checkbox"/> Change of Owner <input type="checkbox"/> Other (Describe)				
Prep Room On-site: <input type="checkbox"/> Yes <input type="checkbox"/> No		Original Preneed Contracts On-site: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Deficiencies Identified

C = Compliant NC = Not Compliant R = Repeat Citation N/A = Not Applicable or Not Reviewed

ESTABLISHMENT LICENSE & MANAGER OF RECORD				
C	NC	R	NA	LAW/REGULATION
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2800
FOR NEW OR CHANGE OF LOCATION INSPECTIONS ONLY: A Certificate of Occupancy (CO) issued by the local building official. (The Board needs a copy of the CO)				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-50
Each licensee shall post an original or photocopy of his license in a place conspicuous to consumers of funeral services in each establishment or branch where he is employed.				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-50
The establishment license shall be posted in a place conspicuous to consumers of funeral services.				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-170
Except as provided in §54.1-2810 of the Code of Virginia, every funeral service establishment and every branch or chapel of such establishment, regardless of how owned, shall have a separate manager of record who has responsibility for the establishment as prescribed in 18VAC65-20-171.				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-171
Every funeral establishment shall have a manager of record who is employed full time by and in charge of the establishment. The manager shall be fully accountable for the operation of the establishment. The MOR's duties include but are not limited to:				
<ul style="list-style-type: none"> • Maintenance of facility • Retention of reports and documents as prescribed by the board in 18VAC65-20-700 • Reporting to the board of any changes in information as required by 18VAC65-20-60 				
STANDARDS FOR EMBALMING AND REFRIGERATION				
C	NC	R	NA	LAW/REGULATION
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-510
EMBALMING REPORT, DOCUMENTATION OF EMBALMING, REFRIGERATION REQUIREMENTS 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.				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2811.1
A dead human body shall be maintained in refrigeration and shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order.				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-510
Express permission by 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.				

Commonwealth of Virginia - Department of Health Professions
 Funeral Inspection Report
www.dhp.virginia.gov

C	NC	R	NA	LAW / REGULATION	PREPARATION ROOM REQUIREMENTS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-540	Every funeral service establishment at which embalming of dead human bodies is performed shall have at least one room used exclusively for embalming or preparation of the body.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-540	All functions connected with embalming shall be performed within the preparation room.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-540	The following are required of the preparation room or rooms: 1. The walls shall extend floor to ceiling; 2. The floor and wall surfaces shall be of a material or covered by a material impervious to water; and 3. The material shall extend from wall to wall with all joints tight and sanitary.
C	NC	R	NA	LAW / REGULATION	CONDITIONS OF PREPARATION ROOM
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-570	The preparation room or rooms shall be kept in a clean and sanitary condition at all times, subject to inspection.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-570	Inventories of embalming and preparation materials shall be stored in a container and in a manner that makes them impervious to water and protects them from contamination.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-570	Any items or supplies not directly used in an embalming procedure shall not be stored in the preparation room.
C	NC	R	NA	LAW / REGULATION	PREPARATION ROOM EQUIPMENT
					The preparation room or rooms shall be equipped with:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	A ventilation system which operates and is appropriate to the size and function of the room
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Running hot and cold water
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Flush or slop sink connected with public sewer or with septic tank where no public sewer is available
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Metal, fiberglass or porcelain morgue table
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Covered waste container
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Instruments and apparatus for the embalming process
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	A means or method for the sterilization of reusable instruments by chemical bath or soak; autoclave (steam); or ultraviolet light
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Disinfectants and antiseptic solutions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Clean gowns or aprons, preferably impervious to water
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	Rubber gloves for each embalmer or intern using the room
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	An electric aspirator or hydroaspirator equipped with a vacuum breaker
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	An eye wash station that is readily accessible
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-580	A standard first aid kit which is immediately accessible, either in the preparation room or outside the door to the preparation room
C	NC	R	NA	LAW / REGULATION	DISPOSAL OF WASTE MATERIALS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-590	Disposal of all waste materials shall be in conformity with local, state, and federal law and regulations to avoid contagion and the possible spread of disease. Upon inspection, the establishment shall provide evidence of compliance, such as a copy of a contract with a medical waste disposal company.

Commonwealth of Virginia - Department of Health Professions
 Funeral Inspection Report
www.dhp.virginia.gov

C	NC	R	NA	LAW / REGULATION	REFRIGERATION, HANDLING, STORAGE OF HUMAN REMAINS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2811.1	Upon taking custody of a dead human body, a funeral service establishment shall maintain such body in a manner that provides complete coverage of the body and that is resistant to leakage or spillage, except during embalming or preparation of an unembalmed body for final disposition; restoration and dressing of a body in preparation for final disposition; and viewing during any visitation and funeral service.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2811.1	If a dead human body is to be stored for more than 48 hours prior to disposition, a funeral services establishment having custody of such body shall ensure that the dead human body is maintained in refrigeration at no more than approximately 40 degrees Fahrenheit or embalmed. A dead human body shall be maintained in refrigeration and shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order. NOTE: Guidance Document 65-11 Rev April 17, 2018: The Board agreed to accept a 10% variance of the required temperature.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-581	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. The mechanical refrigeration unit may be located in the funeral establishment or crematory or the funeral home or crematory can enter into an agreement or contract with another funeral establishment, crematory, or other licensed entity for refrigeration. (Evidence of compliance with the requirement for refrigeration shall be maintained as a log entry or other documentation indicating times of placement in and removal of a body from refrigeration.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2811.1	If a dead human body is to be stored for more than 10 days prior to disposition at a location other than a funeral service establishment, the funeral service establishment shall disclose to the contract buyer the location where the body is to be stored and the method of storage.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2811.1	Funeral services establishments, crematories, or transportation services shall not transport animal remains together with dead human bodies. Further, animal remains shall not be refrigerated in a unit where dead human bodies are being stored.
C	NC	R	NA	LAW / REGULATION	STANDARDS FOR REGISTERED CREMATORIES OR FUNERAL ESTABLISHMENTS RELATED TO CREMATION
					Authorization to cremate
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-436 (A)	A crematory shall require a cremation authorization form executed in person or electronically in a manner that provides a copy of an original signature of the next-of-kin or his representative, who may be any person designated to make arrangements for the decedent's burial or the disposition of his remains pursuant to §54.1-2825, an agent named in an advance directive pursuant to §54.1-2984, or a sheriff, upon court order, if no next-of-kin, designated person or agent is available.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-436 (A)	The cremation authorization form shall include an attestation of visual identification of the deceased from a viewing of the remains or a photograph signed by the person making the identification.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-436 (A)	The identification attestation shall either be given on the cremation authorization form or on an identification form attached to the cremation authorization form.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-436 (A)	In the event visual identification is not feasible, a crematory may use other positive identification of the deceased as a prerequisite for cremation, pursuant to §54.1-2818.1.
C	NC	R	NA	LAW / REGULATION	Handling of Human Remains
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-436 (C)	Human remains shall be transported to a crematory in a cremation container and shall not be removed from the container unless the crematory has been provided with written instructions to the contrary by the person who signed the authorization form.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-436 (C)	A cremation container shall substantially meet all the following standards: <ul style="list-style-type: none"> • Be composed of readily combustible materials suitable for cremation • Be able to be closed in order to provide complete covering for the human remains • Be resistant to leakage or spillage • Be rigid enough for handling with ease
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-436 (C)	The identification of the decedent shall be physically attached to the remains and appropriate identification placed on the exterior of the cremation container.
RETENTION OF DOCUMENTS					
C	NC	R	NA	LAW / REGULATION	The following retention schedule shall apply to retention of embalming reports, price lists, and itemized statements:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-700	Price lists shall be retained for three years after the date on which they are no longer effective.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-700	Itemized statements shall be retained for three years from the date on which the arrangements were made.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-700	Embalming reports shall be retained at the location of the embalming for three years after the date of the embalming.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-700	Documents shall be maintained on the premises of the funeral establishment and made available for inspection.

Commonwealth of Virginia - Department of Health Professions
 Funeral Inspection Report
www.dhp.virginia.gov

DISCLOSURES					
C	NC	R	NA	LAW / REGULATION	18VAC65-20-630 Funeral providers shall make all required disclosures and provide accurate information from price lists pursuant to the rules of the Federal Trade Commission. Price lists shall comply with requirements of the FTC and shall contain the information included in Appendices I, II, and III of this chapter.
GENERAL PRICE LIST					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Caption identifying the list as the General Price List.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Name, address & telephone number of funeral establishment.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Effective date of the pricelist.
C	NC	R	NA	LAW / REGULATION	SECTION I – GENERAL INFORMATION
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Required Disclosure: <i>"The goods and services shown below are those we can provide to our customers. You may choose only the items you desire. However, any funeral arrangements you select will include a charge for our basic services and overhead. If legal or other requirements mean you must buy any items you did not specifically ask for, we will explain the reason in writing on the statement we provide describing the funeral goods and services you selected."</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2806 (24)	"Certain funeral services may be provided off-premises by other funeral service providers."
C	NC	R	NA	LAW / REGULATION	SECTION II - PROFESSIONAL SERVICES OF FUNERAL DIRECTOR AND STAFF
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Basic Services of Funeral Director and Staff \$ _____ <i>"This fee for our basic services and overhead will be added to the total cost of the funeral arrangements you select. (This fee is already included in our charges for direct cremations, immediate burials, and forwarding or receiving remains.)" OR Please note that a fee of \$ _____ for the use of our basic services and overhead is included in the price of our caskets. This same fee shall be added to the total cost of your funeral arrangements if you provide the casket."</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Our services include: (*Note: List what charge for basic services includes)
C	NC	R	NA	LAW / REGULATION	SECTION III – FUNERAL HOME FACILITIES
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-630 APPENDIX I	Price list includes charge and description for: 1. Facilities and staff for visitation and viewing 2. Facilities and staff for funeral ceremony 3. Facilities and staff for memorial service 4. Equipment and staff for graveside service
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	(*Note: If you have additional charges such as facilities and staff for home/church viewing, or a charge for additional staff per person or through calculation of manhours, etc., add here as extra items. If you have a charge for interment, add here. Describe what charges include.)
C	NC	R	NA	LAW / REGULATION	SECTION IV - EMBALMING
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	"Embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement that does not require you to pay for it, such as direct cremation or immediate burial.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Embalming charge for normal and autopsy remains. (*Note: If the cost for embalming is the same for normal and autopsied remains, only one price may be listed)
C	NC	R	NA	LAW / REGULATION	SECTION V - OTHER PREPARATION OF THE DECEASED
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Description and price of other preparation if provided. (*Note: List below each preparation service that you offer and the price. If you do not charge for other preparation, remove this section.)
C	NC	R	NA	LAW / REGULATION	SECTION VI – IMMEDIATE BURIAL
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Price range for immediate burial and what is included in the charge. (*Note: A price range must be given for this service. Your prices should range from your immediate burial package with container provided by purchaser to your immediate burial package plus your most expensive casket.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Our charges include: (*Note: List under each category what the charge includes) <ul style="list-style-type: none"> • Immediate burial with container provided by purchaser • Immediate burial with lowest priced alternative container (*Note: If an alternative container is not offered, this line item may be omitted; if an alternative container is offered, include a brief description.) <ul style="list-style-type: none"> • Immediate burial with highest priced casket

Commonwealth of Virginia - Department of Health Professions
 Funeral Inspection Report
www.dhp.virginia.gov

C	NC	R	NA	LAW / REGULATION	SECTION VII – DIRECT CREMATION
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Price range for direct cremation and what is included in the charge. Note: A price range must be given for a direct cremation. Your prices should range from direct cremation with a container provided by the purchaser to the price for direct cremation plus the highest priced casket acceptable for cremation.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	"State and local laws do not require a casket for direct cremation. If you want to arrange a direct cremation, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The containers we provide are [specify containers]."
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Describe the services included for each category listed below. <ul style="list-style-type: none"> • Direct cremation with container provider by the purchaser • Direct cremation with each alternative container specified in the disclosure (*A price and description for alternative container should be provided) • Direct cremation with highest priced casket acceptable for cremation
C	NC	R	NA	LAW / REGULATION	SECTION VIII - TRANSFER OF REMAINS TO FUNERAL ESTABLISHMENT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Charge and description for transfer of remains to a funeral establishment. (*Note: This is added only when it is <u>not</u> included under professional services. You must explain what this charge includes if listed separately.)
C	NC	R	NA	LAW / REGULATION	SECTION IX - FORWARDING REMAINS TO ANOTHER FUNERAL ESTABLISHMENT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Charge and description for forwarding remains to another funeral establishment.
C	NC	R	NA	LAW / REGULATION	SECTION X - RECEIVING REMAINS FROM ANOTHER FUNERAL ESTABLISHMENT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Charge and description for receiving remains from another funeral establishment.
C	NC	R	NA	LAW / REGULATION	SECTION XI - AUTOMOTIVE EQUIPMENT AND SERVICES
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-20-630 APPENDIX I	Charge and description for automotive equipment and services (*Note: Specify a range of miles for local service. If a fee is charged beyond local miles, please specify the fee per mile. The cost of any vehicle that you must rent should be included on the itemized statement as a cash advance item.) <ul style="list-style-type: none"> • Use of hearse • Use of limousine • Other automotive equipment and services (*Note: You should provide a description and price for each automotive equipment and service listed.)
C	NC	R	NA	LAW / REGULATION	SECTION XII – FUNERAL MERCHANDISE
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Caskets: Price range and "A complete price list will be provided at the funeral home."
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Outer Burial Container: Price range and "A complete price list will be provided at the funeral home."
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX I	Other Funeral Merchandise: (*Note: List all other merchandise that you offer including acknowledgment cards, register book, memorial folders, etc. and include the price.)
C	NC	R	NA	LAW / REGULATION	CASKET PRICE LIST OUTER BURIAL CONTAINER PRICE LIST (If not included in the general Price List)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX II	Effective date of Casket Price List
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX II	Effective date of Outer Burial Container Price List
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX II	Name, address & telephone number of funeral establishment.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX II	Caption identifying price list as casket or Outer Burial Container Price list.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX II	Price Lists include manufacturer, price of casket, and sufficient information to describe the casket, alternative container, or outer burial container.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX II	Outer Burial Price Container List includes the statement: <i>State or local law does not require you to buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave liner or a burial vault will satisfy these requirements.</i> NOTE: If the funeral home services a locality that has an ordinance requiring an outer burial container in its cemeteries, this disclosure should start with the phrase, "In most areas of the country, ."

Commonwealth of Virginia - Department of Health Professions
 Funeral Inspection Report
www.dhp.virginia.gov

C	NC	R	NA	LAW / REGULATION	ITEMIZED STATEMENT OF FUNERAL GOODS AND SERVICES
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX III	Itemized Statement is provided to the party contracting for funeral arrangements.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX III	Name, address & telephone number of funeral establishment.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX III	Itemized Statement is signed by Licensed Funeral Director or Funeral Service Provider and party contracting for funeral arrangements.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX III	<i>"If you selected a funeral that may require embalming, such as a funeral with viewing, you may have to pay for embalming. You do not have to pay for embalming that you did not approve if you selected arrangements such as direct cremation or immediate burial. If we charged for embalming, we will explain why below."</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX III	<i>"We charge you for our services in obtaining:"</i> (List each cash advance item. If you do not charge for your services and do not receive a commission or rebate from the third party, you do not have to use this disclosure.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX III	<i>"Charges are only for those items that you selected or that are required. If we are required by law or by a cemetery or crematory to use any items, we will explain the reason in writing below:"</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	APPENDIX III	<i>"The only warranty on the casket or outer burial container, or both, sold in connection with this service is the express written warranty if any, granted by the manufacturer. This Funeral Home makes no warranty, express or implied, with respect to the casket or outer burial container."</i>
C	NC	R	NA	LAW / REGULATION	PRENEED RECORDS - GENERAL
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-60	Preneed contracts and reporting documents shall be retained on the premises of the establishment for one year after the death of the contract beneficiary.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-60	All preneed records shall be available for inspection by the Department of Health Professions.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-70	A contract provider shall keep a chronological or alphabetical listing of all preneed contracts. The listing shall include the following: 1. Name of contract buyer; 2. Name of contract beneficiary; 3. Date of contract; 4. How contract was funded; 5. Whether up to 10% of funds are retained by the contract provider for contracts funded through trust; and 6. Whether funeral goods and supplies are stored for the contract buyer.
C	NC	R	NA	LAW / REGULATION	PRENEED CONTRACTS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-80	In addition to requirements of §54.1-2820 of the Code of Virginia, the contract shall contain the following: 1. The date of the contract; 2. Whether or not the price of the supplies and services purchased is guaranteed; 3. The appointee agreement when applicable; and 4. Signatures of the contract seller and the contract buyer.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2820	It shall be unlawful for any person residing or doing business within this Commonwealth, to make, either directly or indirectly by any means, a preneed funeral contract unless the contract: 1. Is made on forms prescribed by the Board and is written in clear, understandable language and printed in easy-to-read type, size and style; 2. Identifies the seller, seller's license number and contract buyer and the person for whom the contract is purchased if other than the contract buyer; 3. Contains a complete description of the supplies or services purchased; 4. Clearly discloses whether the price of the supplies and services purchased is guaranteed; 5. States if funds are required to be trusted pursuant to § 54.1-2822, the amount to be trusted, the name of the trustee, the disposition of the interest, the fees, expenses and taxes which may be deducted from the interest and a statement of the buyer's responsibility for taxes owed on the interest; 6. Contains the name, address and telephone number of the Board and lists the Board as the regulatory agency which handles consumer complaints; 7. Provides that any person who makes payment under the contract may terminate the agreement at any time prior to the furnishing of the services or supplies contracted for except as provided pursuant to subsection B of §54.1-2820; if the purchaser terminates the contract within 30 days of execution, the purchaser shall be refunded all consideration paid or delivered, together with any interest or income accrued thereon: if the purchaser terminates the contract after 30 days, the purchaser shall be refunded any amounts required to be deposited under 54.1-2822, together with any interest or income accrued thereon; 8. Provides that if the particular supplies and services specified in the contract are unavailable at the time of delivery, the seller shall be required to furnish supplies and services similar in style and at least equal in quality of material and workmanship and the representative of the deceased shall have the right to choose the supplies or services to be substituted; 9. Discloses any penalties or restrictions, including but not limited to geographic restrictions or the inability of the provider to perform, on the delivery of merchandise, services or prearrangement guarantee.

Commonwealth of Virginia - Department of Health Professions
 Funeral Inspection Report
www.dhp.virginia.gov

C	NC	R	NA	LAW / REGULATION	PRENEED CONTRACTS (cont.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-200	Supplies & Services: If the contract seller will not be responsible for furnishing the supplies and services to the contract buyer, the contract seller shall attach to the preneed funeral contract a copy of the contract seller's agreement with the contract provider.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2820 18VAC65-30-230	Complies with all disclosure requirements imposed by the Board. (Question and answer format required.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-120	Escrow account: Within five banking days after the day of receipt of any money from the contract buyer and until the time the money is invested in a trust, life insurance, or annuity policy, the contract seller or the contract provider shall deposit the money into an escrow account in a bank or savings institution approved to do business in the Commonwealth.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-130	Real Estate 1. The preneed contract shall be recorded as an attachment to the deed whereby the real estate is conveyed; and 2. The deed shall be recorded in the clerk's office in the circuit court of the city or county in which the real estate being conveyed is located.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-140	Personal Property 1. Personal property shall be transferred by: a. Actual delivery of the personal property; or b. Transfer of the title to the personal property. 2. Within 30 days of receiving the personal property or the title to the personal property, the licensee or person delivering the property shall: a. Execute a written declaration of trust setting forth the terms, conditions, and considerations upon which the personal property is delivered; and b. Record the trust agreement in the clerk's office of the circuit court of the locality in which the person delivering the property is living; or c. Record the preneed contract in the clerk's office of the circuit court of the locality in which the person delivering the property or trust agreement is living provided that the preneed contract sets forth the terms, conditions, and considerations of the trust.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§54.1-2820 18VAC65-30-170	States if funds are required to be trusted pursuant to § 54.1-2822, the amount to be trusted, the name of the trustee, the disposition of the interest, the fees, expenses and taxes which may be deducted from the interest and a statement of the buyer's responsibility for taxes owed on the interest. If funds are to be trusted , the following information shall be disclosed in writing to the contract buyer: 1. The amount to be trusted; 2. The name of the trustee; 3. The disposition of the interest; 4. The fees, expenses, and taxes which may be deducted from the interest; 5. Whether up to 10% is retained by the contract provider; and 6. A statement of the contract buyer's responsibility for taxes owed on the interest.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18VAC65-30-180	If a life insurance or annuity policy is used to fund the preneed funeral contract, the contract shall contain the following information: 1. Name of the contract provider; 2. Name and funeral license number of contract seller; 3. Place of employment of contract seller; 4. Name of insurance agent and agent's insurance license number; 5. Insurance agent's employer and insurance company represented by insurance agent; and 6. Identification as to whether the insurance agent is a funeral service licensee and, if so, the funeral service license number.

Commonwealth of Virginia - Department of Health Professions
Funeral Inspection Report
www.dhp.virginia.gov

Comments:

Attachments:

GPL CPL OBCPL Itemized Statement Preneed list Other

Signature of Inspector

Signature & Title of ~~Applicant~~ Establishment Representative

This facility has been inspected by an inspector of the Department of Health Professions. The results of the inspection have been noted. I acknowledge that the noted conditions have been deemed by the inspector as not being in compliance and have been explained to me.

Committee and Board Member Reports

DRAFT

9960 Mayland Dr, Henrico, VA 23233

In Attendance

Sheila E. Battle, MHS, Citizen Member
Helene Clayton-Jeter, OD, Board of Optometry
Kevin Doyle, EdD, LPC, LSATP, Board of Counseling
Louise Hershkowitz, CRNA, MSHA, Board of Nursing
Allen Jones, Jr., DPT, PT, Board of Physical Therapy
Louis Jones, FSL, Board of Funeral Directors and Embalmers
Steve Karras, DVM, Board of Veterinary Medicine
Derrick Kendall, NHA, Board of Long-Term Care Administrators
Alison King, PhD, CCC-SLP, Board of Audiology & Speech-Language Pathology
Ryan Logan, RPh, Board of Pharmacy
Kevin O'Connor, MD, Board of Medicine
John Salay, MSW, LCSW, Board of Social Work
Herb Stewart, PhD, Board of Psychology
James Watkins, DDS, Board of Dentistry
James Wells, RPh, Citizen Member

Absent

Sahil Chaudhary, Citizen Member
Martha Rackets, PhD, Citizen Member
Maribel Ramos, Citizen Member

DHP Staff

Barbara Allison-Bryan, MD, Deputy Director DHP
David Brown, DC, Director DHP
Elizabeth A. Carter, PhD, Executive Director BHP
Jaime Hoyle, JD, Executive Director Boards of Counseling, Psychology and Social Work
Laura Jackson, MSHSA, Operations Manager BHP
Charis Mitchell, Assistant Attorney General
Rajana Siva, MBA, Research Analyst BHP
Yetty Shobo, PhD, Deputy Executive Director BHP
Corie E. Tillman-Wolf, JD, Executive Director Boards of Funeral Directors and Embalmers, Long-Term Care Administrators and Physical Therapy
Elaine Yeatts, Senior Policy Analyst DHP

Speakers

No speakers signed-in

Observers

Rebekah Allen, VDH

Emergency Egress

Dr. Carter

Call to Order	Dr. Stewart, Board Vice Chair, filled-in for Dr. Jones, Jr. who was delayed by traffic. Time: 10:04 a.m. Quorum: Established
Public Comment	No public comment was provided.
Board Member Introduction	With two newly appointed board members, Dr. Stewart asked each board member to introduce themselves.
Approval of Minutes	Dr. Stewart
Motion	A clarification was made by Ms. Hershkowitz to the Board of Nursing report that a second additional license for NP prescriptive authority has been eliminated. With this change, a motion to accept the edited meeting minutes from the December 2, 2019 Full Board meeting was made and properly seconded. All members were in favor, none opposed.
Director's Report	Dr. Brown shared that this years General Assembly has been exceedingly busy, with a lot of interest in health care. He provided an overview of CBD oils, hemp and medical marijuana, who is permitted to prescribe and the progress being made by the Board of Pharmacy in licensing dispensaries.
Legislative and Regulatory Report	Ms. Yeatts stated that there are 65 actions, in different stages, that relate to DHP. She reviewed the bills associated with DHP and provided additional information for specific professions. The Art Therapy study was approved requiring licensure for art therapists, placing this new profession under the Board of Counseling; and the Music Therapy study was also approved requiring licensure of music therapists, placing this new profession under the Board of Social Work. The Board of Health Professions has been tasked with studying Diagnostic Medical Sonography and Naturopathic Doctors. Board staff will be assisting as needed with the SJ 49 study request into the Need for additional micro-level, mezzo-level, and macro-level social workers and increased compensation.
Board Chair Report	Dr. Jones, Jr. introduced newly appointed Board of Health Professions board members Sheila Battle, Citizen Member and Steve Karras with the Board of Veterinary Medicine.
Executive Director's Report	Dr. Carter reviewed the Board's budget and provided insight into the agency's statistics and performance. The Boards mission statement needs to be revised and board members were tasked with providing input on changes for the May 27, 2020 meeting. The 2020 Board work plan was also reviewed. Dr. O'Connor will be providing detailed information to the Director's Office regarding a study on Certified Anesthesiology Assistants. The last study on this profession was completed in October 2017 with the Boards unanimous conclusion that the criteria for regulation by Virginia had not been met.

**Executive
Director's Report-
Continued**

Extending the current one year term to a two year term for the positions of Board Chair and Vice Chair was discussed. It was determined that the Board would follow a similar structure to that of the Board of Nursing which has three seats: President, First Vice President and Second Vice President. The matter will need to be addressed following Guidance Document amendment procedures.

**Healthcare
Workforce Data
Center**

Dr. Carter and Dr. Shobo provided an update on the Center's workforce reports and data requests.

Lunch

11:49 a.m.

**Individual Board
Reports**

Board of Counseling - Dr. Doyle (Attachment 1)

Board of Pharmacy - Mr. Logan stated that the board voted unanimously to adopt the Regulation Committee's recommendation to send a recommendation to the Health Commissioner that he also consider taking a more immediate action to prohibit CBD or THC-A formulations intended to be vaped or inhaled from containing Vitamin E acetate. Mr. Logan also discussed immunization administration recordkeeping to be used by hospital pharmacists.

Board of Funeral Directors & Embalmers - Mr. Jones (Attachment 2)

Board of Long-Term Care Administrators - Mr. Kendall (Attachment 3)

Board of Social Work - Mr. Salay (Attachment 4)

Board of Dentistry - Dr. Watkins (Attachment 5)

Board of Psychology - Dr. Stewart (Attachment 6)

Board of Physical Therapy - Dr. Jones, Jr. (Attachment 7)

Board of Optometry- Dr. Clayton-Jeter (Attachment 8)

Board of Veterinary Medicine - Dr. Karras (Attachment 9)

Board of Audiology & Speech-Language Pathology - Dr. King (Attachment 10)

Board of Medicine - Dr. O'Connor stated that the board met last week and at that meeting it was determined that an ad-hoc committee would be formed to discuss stem-cells. FSMBs 2020 meeting will be held in San Diego and five (5) Board of Medicine members will be attending. Half of the current board member terms will be expiring June 30, 2020.

Board of Nursing - Ms. Hershkowitz (Attachment 11)

New Business

There was discussion on the steps being taken by the Commonwealth in regards to the coronavirus. Dr. Allison-Bryan advised that she would be sharing a letter that she received from the Virginia Department of Health on this subject matter.

Next Full Board Meeting

Dr. Jones, Jr. advised the Board that the next meeting is scheduled for May 27, 2020 at 10:00 a.m.

Adjourned

1:12 p.m.

**Chair
Signature**

Allen Jones, Jr., DPT, PT

_____ / / _____

**Board Executive
Director
Signature**

Elizabeth A. Carter, PhD

_____ / / _____

Board of Health Professions attachments can be found at
https://www.dhp.virginia.gov/bhp/bhp_calendar.htm

Staff Reports

Virginia Department of Health Professions
Cash Balance
As of May 31, 2020

	104- Funeral Directors and Embalmers
Board Cash Balance as June 30, 2019	\$ 674,414
YTD FY20 Revenue	678,810
Less: YTD FY20 Direct and Allocated Expenditures	<u>579,482</u>
Board Cash Balance as May 31, 2020	<u><u>\$ 773,742</u></u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2019 and Ending May 31, 2020

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
4002400	Fee Revenue				
4002401	Application Fee	46,015.00	34,845.00	(11,170.00)	132.06%
4002406	License & Renewal Fee	617,310.00	636,410.00	19,100.00	97.00%
4002407	Dup. License Certificate Fee	560.00	360.00	(200.00)	155.56%
4002409	Board Endorsement - Out	1,700.00	3,850.00	2,150.00	44.16%
4002421	Monetary Penalty & Late Fees	1,790.00	10,025.00	8,235.00	17.86%
4002430	Board Changes Fee	5,500.00	7,695.00	2,195.00	71.47%
4002432	Misc. Fee (Bad Check Fee)	35.00	35.00	-	100.00%
	Total Fee Revenue	<u>672,910.00</u>	<u>693,220.00</u>	<u>20,310.00</u>	<u>97.07%</u>
4003000	Sales of Prop. & Commodities				
4003020	Misc. Sales-Dishonored Payments	300.00	-	(300.00)	0.00%
	Total Sales of Prop. & Commodities	<u>300.00</u>	<u>-</u>	<u>(300.00)</u>	<u>0.00%</u>
4009000	Other Revenue				
4009060	Miscellaneous Revenue	5,600.00	3,300.00	(2,300.00)	169.70%
	Total Other Revenue	<u>5,600.00</u>	<u>3,300.00</u>	<u>(2,300.00)</u>	<u>169.70%</u>
	Total Revenue	<u>678,810.00</u>	<u>696,520.00</u>	<u>17,710.00</u>	<u>97.46%</u>
5011110	Employer Retirement Contrib.				
5011120	Fed Old-Age Ins- Sal St Emp	12,283.17	10,508.00	(1,775.17)	116.89%
5011140	Group Insurance	6,585.34	6,569.00	(16.34)	100.25%
5011150	Medical/Hospitalization Ins.	1,201.03	1,019.00	(182.03)	117.86%
5011160	Retiree Medical/Hospitalizatn	26,285.28	24,315.00	(1,970.28)	108.10%
5011170	Long term Disability Ins	1,072.92	910.00	(162.92)	117.90%
	Total Employee Benefits	<u>56,428.77</u>	<u>48,321.00</u>	<u>(8,107.77)</u>	<u>116.89%</u>
5011200	Salaries				
5011230	Salaries, Classified	91,873.04	77,715.00	(14,158.04)	118.22%
	Total Salaries	<u>91,873.04</u>	<u>77,715.00</u>	<u>(14,158.04)</u>	<u>118.22%</u>
5011300	Special Payments				
5011340	Specified Per Diem Payment	1,200.00	3,000.00	1,800.00	40.00%
5011380	Deferred Compnstn Match Pmts	402.00	720.00	318.00	55.83%
	Total Special Payments	<u>1,602.00</u>	<u>3,720.00</u>	<u>2,118.00</u>	<u>43.06%</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				
5011660	Defined Contribution Match - Hy	113.86	-	(113.86)	0.00%
	Total Terminatn Personal Svce Costs	<u>113.86</u>	<u>-</u>	<u>(113.86)</u>	<u>0.00%</u>
5011930	Turnover/Vacancy Benefits				
	Total Personal Services	<u>141,585.01</u>	<u>133,371.00</u>	<u>(8,214.01)</u>	<u>106.16%</u>
5012000	Contractual Svcs				
5012100	Communication Services				
5012110	Express Services	-	200.00	200.00	0.00%
5012120	Outbound Freight Services	49.63	-	(49.63)	0.00%

Virginia Department of Health Professions
 Revenue and Expenditures Summary
 Department 10400 - Funeral Directors and Embalmers
 For the Period Beginning July 1, 2019 and Ending May 31, 2020

Account		Amount			
Number	Account Description	Amount	Budget	Under/(Over)	% of Budget
5012130	Messenger Services	26.01	-	(26.01)	0.00%
5012140	Postal Services	2,652.65	3,500.00	847.35	75.79%
5012150	Printing Services	32.88	1,500.00	1,467.12	2.19%
5012160	Telecommunications Svcs (VITA)	298.60	300.00	1.40	99.53%
5012190	Inbound Freight Services	16.40	-	(16.40)	0.00%
	Total Communication Services	3,076.17	5,500.00	2,423.83	55.93%
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	350.00	1,945.00	1,595.00	17.99%
5012270	Emp Trning- Trns, Ldng & Meals	-	3,250.00	3,250.00	0.00%
	Total Employee Development Services	600.00	6,995.00	6,395.00	8.58%
5012400	Mgmnt and Informational Svcs	-			
5012410	Auditing Services	223.97	-	223.97	0.00%
5012420	Fiscal Services	11,571.72	9,520.00	(2,051.72)	121.55%
5012440	Management Services	202.49	120.00	(82.49)	168.74%
5012470	Legal Services	324.30	500.00	175.70	64.86%
	Total Mgmnt and Informational Svcs	12,322.48	10,140.00	(1,734.54)	121.52%
5012500	Repair and Maintenance Svcs				
5012510	Custodial Services	25.74	-	(25.74)	0.00%
5012530	Equipment Repair & Maint Srvc	1,023.28	640.00	(383.28)	159.89%
	Total Repair and Maintenance Svcs	1,049.02	640.00	(409.02)	163.91%
5012600	Support Services				
5012640	Food & Dietary Services	929.05	2,100.00	1,170.95	44.24%
5012660	Manual Labor Services	136.94	1,200.00	1,063.06	11.41%
5012670	Production Services	351.83	1,120.00	768.17	31.41%
5012680	Skilled Services	227.25	910.00	682.75	24.97%
	Total Support Services	1,645.07	5,330.00	3,684.93	30.86%
5012700	Technical Services				
5012760	C.Operating Svcs (By VITA)	242.45	-	(242.45)	0.00%
	Total Technical Services	242.45	-	(242.45)	0.00%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	2,559.37	6,200.00	3,640.63	41.28%
5012830	Travel, Public Carriers	1,009.26	700.00	(309.26)	144.18%
5012850	Travel, Subsistence & Lodging	1,755.11	1,600.00	(155.11)	109.69%
5012880	Trvl, Meal Reimb- Not Rprtble	729.00	750.00	21.00	97.20%
	Total Transportation Services	6,052.74	9,250.00	3,197.26	65.44%
	Total Contractual Svcs	24,987.93	37,855.00	13,315.01	66.01%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013120	Office Supplies	1,399.43	1,500.00	100.57	93.30%
5013130	Stationery and Forms	127.57	675.00	547.43	18.90%
	Total Administrative Supplies	1,527.00	2,175.00	648.00	70.21%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2019 and Ending May 31, 2020

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
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%
5013400	Medical and Laboratory Supp.				
5013420	Medical and Dental Supplies	5.34	-	(5.34)	0.00%
	Total Medical and Laboratory Supp.	5.34	-	(5.34)	0.00%
5013500	Repair and Maint. Supplies				
5013520	Custodial Repair & Maint Matrl	28.97	-	(28.97)	0.00%
5013530	Electrcal Repair & Maint Matrl	1.38	-	(1.38)	0.00%
	Total Repair and Maint. Supplies	30.35	-	(30.35)	0.00%
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	33.36	30.00	(3.36)	111.20%
5013630	Food Service Supplies	30.99	90.00	59.01	34.43%
5013640	Laundry and Linen Supplies	1.01	-	(1.01)	0.00%
5013650	Personal Care Supplies	26.86	-	(26.86)	0.00%
	Total Residential Supplies	92.22	120.00	27.78	76.85%
5013700	Specific Use Supplies				
5013730	Computer Operating Supplies	14.28	15.00	0.72	95.20%
	Total Specific Use Supplies	14.28	15.00	0.72	95.20%
	Total Supplies And Materials	1,669.19	2,395.00	725.81	69.69%
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				
5015160	Property Insurance	35.87	36.00	0.13	99.64%
	Total Insurance-Fixed Assets	35.87	36.00	0.13	99.64%
5015300	Operating Lease Payments				
5015340	Equipment Rentals	8.80	-	(8.80)	0.00%
5015350	Building Rentals	36.00	-	(36.00)	0.00%
5015360	Land Rentals	-	15.00	15.00	0.00%
5015390	Building Rentals - Non State	4,312.06	5,148.00	835.94	83.76%
	Total Operating Lease Payments	4,356.86	5,163.00	806.14	84.39%
5015500	Insurance-Operations				
5015510	General Liability Insurance	128.75	135.00	6.25	95.37%
5015540	Surety Bonds	7.60	8.00	0.40	95.00%
	Total Insurance-Operations	136.35	143.00	6.65	95.35%
	Total Continuous Charges	4,529.08	5,342.00	812.92	84.78%
5022000	Equipment				
5022100	Computer Hrdware & Sftware				
5022170	Other Computer Equipment	19.00	-	(19.00)	0.00%
5022180	Computer Software Purchases	99.90	-	(99.90)	0.00%
	Total Computer Hrdware & Sftware	118.90	-	(118.90)	0.00%
5022600	Office Equipment				
5022610	Office Appurtenances	-	132.00	132.00	0.00%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2019 and Ending May 31, 2020

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
	Total Office Equipment	-	132.00	132.00	0.00%
5022700	Specific Use Equipment				
5022710	Household Equipment	76.19	-	(76.19)	0.00%
	Total Specific Use Equipment	76.19	-	(76.19)	0.00%
	Total Equipment	195.09	132.00	(63.09)	147.80%
	Total Expenditures	172,966.30	179,095.00	6,576.64	96.58%
Allocated Expenditures					
20600	Funeral\LTCA\PT	108,454.28	111,767.95	3,313.67	97.04%
30100	Data Center	60,982.93	93,863.88	32,880.95	64.97%
30200	Human Resources	7,794.74	5,543.05	(2,251.68)	140.62%
30300	Finance	28,411.46	29,379.38	967.91	96.71%
30400	Director's Office	10,571.45	11,747.07	1,175.62	89.99%
30500	Enforcement	152,894.19	171,630.14	18,735.95	89.08%
30600	Administrative Proceedings	19,779.95	32,292.88	12,512.92	61.25%
30700	Impaired Practitioners	-	143.54	143.54	0.00%
30800	Attorney General	4,634.04	4,634.61	0.57	99.99%
30900	Board of Health Professions	7,875.15	8,547.71	672.57	92.13%
31100	Maintenance and Repairs	-	625.69	625.69	0.00%
31300	Emp. Recognition Program	149.67	250.83	101.15	59.67%
31400	Conference Center	65.74	149.95	84.21	43.84%
31500	Pgm Devlpmnt & Implmentn	4,901.98	5,154.64	252.66	95.10%
	Total Allocated Expenditures	406,515.59	475,731.31	69,215.72	85.45%
	Net Revenue in Excess (Shortfall) of Expenditures	\$ 99,328.11	\$ 41,693.69	\$ (58,082.36)	238.23%

Funeral Directing Monthly Snapshot for January 2020

Funeral Directing has received as many cases in January as closed. Funeral Directing has closed 1 patient care cases and 5 non-patient care cases for a total of 6 cases.

Cases Closed	
Patient Care	1
Non Patient Care	5
Total	6

Funeral Directing has received 3 patient care case and 3 non-patient care cases for a total of 6 cases.

Cases Received	
Patient Care	3
Non Patient Care	3
Total	6

As of January 31, 2020, there were 32 Patient care cases open and 33 non-patient care cases open for a total of 65 cases.

Cases Open	
Patient Care	32
Non Patient Care	33
Total	65

There were 3179 Funeral Directing licensees as of January 31, 2020. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Total for Branch Establishment	85
Total for Continuing Education Provider	12
Total for Courtesy Card	122
Total for Crematories	118
Total for Embalmer	2
Total for Funeral Director	36
Total for Funeral Establishment	422
Total for Funeral Service Intern	197
Total for Funeral Service Licensee	1551
Total for Funeral Supervisor	579
Total for Surface Transport & Removal Services	55
Total for Funeral Directors and Embalmer	3179

There were 15 licenses issued for Funeral Directing for the month of January. The number of licenses issued are broken down by profession in the following chart.

License Issued	
Funeral Service Intern	8
Funeral Service Licensee	2
Funeral Supervisor	1
Surface Transport & Removal Services	4
Total	15

Funeral Directing Monthly Snapshot for February 2020

Funeral Directing has closed more cases in February than received. Funeral Directing has closed 4 patient care cases and 9 non-patient care cases for a total of 13 cases.

Cases Closed	
Patient Care	4
Non-Patient Care	9
Total	13

Funeral Directing has received 4 patient care cases and 1 non-patient care case for a total of 5 cases.

Cases Received	
Patient Care	4
Non-Patient Care	1
Total	5

As of February 29, 2020, there were 33 patient care cases open and 26 non-patient care cases open for a total of 59 cases.

Cases Open	
Patient Care	33
Non-Patient Care	26
Total	59

There were 3,195 Funeral Directing licensees as of February 29, 2020. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Branch Establishment	86
Continuing Education Provider	12
Courtesy Card	123
Crematories	119
Embalmer	2
Funeral Director	36
Funeral Establishment	422
Funeral Service Intern	200
Funeral Service Licensee	1,554
Funeral Supervisor	585
Surface Transport & Removal Services	56
Total for Funeral Directors and Embalmers	3,195

There were 17 licenses issued for Funeral Directing for the month of February. The number of licenses issued are broken down by profession in the following chart.

Licenses Issued	
Branch Establishment	1
Courtesy Card	1
Crematories	1

Funeral Service Intern	6
Funeral Service Licensee	2
Funeral Supervisor	5
Surface Transport & Removal Services	1
Total for Funeral Directors and Embalmers	17

Funeral Directors and Embalmers Monthly Snapshot for March 2020

Funeral Directors and Embalmers have closed more cases in March than received. Funeral Directors and Embalmers have closed 6 patient care cases and 7 non-patient care cases for a total of 13 cases.

Cases Closed	
Patient Care	6
Non-Patient Care	7
Total	13

Funeral Directors and Embalmers have received 2 patient care cases and 1 non-patient care case for a total of 3 cases.

Cases Received	
Patient Care	2
Non-Patient Care	1
Total	3

As of March 31, 2020, there are 28 patient care cases open and 21 non-patient care cases open for a total of 49 cases.

Case Open	
Patient Care	28
Non-Patient Care	21
Total	49

There are 3209 Funeral Directors and Embalmers licensees as of April 1, 2020. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Branch Establishment	86
Continuing Education Provider	12
Courtesy Card	123
Crematories	119
Embalmer	2
Funeral Director	36
Funeral Establishment	423
Funeral Service Intern	202
Funeral Service Licensee	1563
Funeral Supervisor	585
Surface Transport & Removal Services	58
Total for Funeral Directors and Embalmer	3209

There were 19 licenses issued for Funeral Directors and Embalmers for the month of March. The number of licenses issued are broken down by profession in the following chart.

License Issued	
Funeral Service Intern	9
Funeral Service Licensee	7

Funeral Supervisor	1
Surface Transport & Removal Services	2
Total for Funeral Directors and Embalmers	19

Funeral Directing Monthly Snapshot for April 2020

Funeral Directing has received more cases in April than closed cases. Funeral Directing has closed 1 patient care case and 3 non-patient care cases for a total of 4 cases.

Cases Closed	
Patient Care	1
Non-Patient Care	3
Total	4

The board has received 6 patient care cases and 3 non-patient care cases for a total of 9 cases.

Cases Received	
Patient Care	6
Non-Patient Care	3
Total	9

As of April 30, 2020 there are 33 Patient care cases open and 25 non-patient care cases open for a total of 58 cases.

Case Open	
Patient Care	33
Non-Patient Care	25
Total	58

There are 3025 Funeral Directing licensees as of May 1, 2020. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Branch Establishment	83
Continuing Education Provider	12
Courtesy Card	97
Crematories	107
Embalmer	2
Funeral Director	33
Funeral Establishment	401
Funeral Service Intern	187
Funeral Service Licensee	1474
Funeral Supervisor	587
Surface Transport & Removal Services	42
Total for Funeral Directors and Embalmers	3025

There were 16 licenses issued for Funeral Directing for the month of April. The number of licenses issued are broken down by profession in the following chart.

License Issued	
Branch Establishment	1
Courtesy Card	4
Funeral Service Intern	8
Funeral Service Licensee	1
Funeral Supervisor	2
Total for Funeral Directors and Embalmers	16

Funeral Directing Monthly Snapshot for May 2020

Funeral Directing has received more cases in May than closed. Funeral Directing has closed 1 patient care case and 2 non-patient care cases for a total of 3 cases.

Cases Closed	
Patient Care	1
Non-Patient Care	2
Total	3

The department has received 2 patient care cases and 3 non-patient care cases for a total of 5 cases.

Cases Received	
Patient Care	2
Non-Patient Care	3
Total	5

As of May 31, 2020 there are 34 patient care cases open and 26 non-patient care cases open for a total of 60 cases.

Case Open	
Patient Care	34
Non-Patient Care	26
Total	60

There are 3063 Funeral Directing licensees as of June 1, 2020. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Profession	Current Licenses
<i>Branch Establishment</i>	77
<i>Continuing Education Provider</i>	14
<i>Courtesy Card</i>	107
<i>Crematories</i>	115
<i>Embalmer</i>	2
<i>Funeral Director</i>	36
<i>Funeral Establishment</i>	418
<i>Funeral Service Intern</i>	178
<i>Funeral Service Licensee</i>	1508
<i>Funeral Supervisor</i>	566
<i>Surface Transport & Removal Services</i>	42
Total for Funeral Directing	3063

There were 17 licenses issued for Funeral Directing for the month of May. The number of licenses issued are broken down by profession in the following chart.

License Issued	
Profession	License Issued
<i>Courtesy Card</i>	1
<i>Funeral Service Intern</i>	5

<i>Funeral Service Licensee</i>	7
<i>Funeral Supervisor</i>	3
<i>Surface Transport & Removal Services</i>	1
<i>Total for Funeral Directing</i>	17



CHECKLIST AND INSTRUCTIONS FOR CREMATORY REGISTRATION APPLICATION

At least 30 days prior to opening a crematory, any person intending to own or operate a crematory shall apply for registration with the Board of Funeral Directors and Embalmers. A crematory providing cremation services directly to the public shall also be licensed as a funeral service establishment or be a branch of a Virginia licensed establishment.

SUBMIT THE FOLLOWING:

APPLICATION – This application will not be considered until all sections have been completed. You may need to submit supporting documentation regarding your responses to the licensure questions. Please refer to the application for more information.

FEE – All fees are non-refundable. Make check or money order payable to the Treasurer of Virginia.

The fee for an initial application to register a crematory is \$650.00, which includes the application and inspection fees.

The fee for a Change of Manager is \$100.00.

The fee for a Change of Ownership with reinspection is \$500.00.

MANAGER OF RECORD CERTIFICATION – Certification by the Cremation Association of North America (CANA), the International Cemetery, Cremation and Funeral Association (ICCFA), or other certification approved by the Board is required for the Manager of Record. Please submit a copy of the certification.

MANAGER OF RECORD OSHA-COMPLIANT TRAINING – Please submit a copy of your crematory certification training certificate for Occupational Safety and Health Administration (OSHA) compliant training on universal precautions and bloodborne pathogens.

CERTIFICATION FOR RETORT OPERATORS – All persons who operate the retort in a crematory shall have certification by the Cremation Association of North America (CANA); the International Cemetery, Cremation and Funeral Association (ICCFA); or other certification recognized by the Board. Persons receiving training toward certification to operate a retort shall be allowed to work under the supervision of an operator who holds certification for a period not to exceed six months. Please submit a copy of the documentation of certifications as listed above for persons listed on the application to operate the retort in the crematory.

GENERAL INFORMATION ABOUT THE APPLICATION PROCESS

1. Applications received without the required processing fee will be returned to the sender.
2. Once all documentation has been received, the licensing process takes approximately 5-7 **business days**. Board staff will contact you at the email address provided on your application with a status update.
3. Applications will remain on file with the Board for one year from the date of receipt. If, at the end of one (1) year, licensure/certification/registration is not issued, the applicant shall reapply in accordance with the requirements of the Regulations.



CREMATORY REGISTRATION APPLICATION

MARK ONLY ONE BOX:

- Initial **Application to Register a** Crematory
- Change of Crematory Manager:
Previous Manager's Name: _____
Change Effective Date (MM/DD/YY): _____
- Change of Ownerships with Re-inspection

ESTABLISHMENT INFORMATION

OWNER'S FULL NAME			
ESTABLISHMENT NAME AND TRADE NAME			
ESTABLISHMENT MAILING ADDRESS	CITY	STATE	ZIP CODE
ESTABLISHMENT LOCATION ADDRESS	CITY	STATE	ZIP CODE
ESTABLISHMENT TELEPHONE NUMBER	ESTABLISHMENT EMAIL ADDRESS		

CHECK ONE BOX:

- CREMATORY IS OWNED BY A VIRGINIA LICENSED FUNERAL ESTABLISHMENT AND IS LOCATED ON THE SAME SITE
- CREMATORY IS **NOT** OWNED BY A VIRGINIA LICENSED FUNERAL ESTABLISHMENT AND OFFERS CREMATION TO FUNERAL ESTABLISHMENT ONLY
- CREMATORY IS OWNED BY A VIRGINIA LICENSED FUNERAL ESTABLISHMENT AND IS **NOT** LOCATED ON THE SAME SITE AND IS OFFERING FUNERAL SERVICES TO THE PUBLIC. **NOTE:** CREMATORY MUST ALSO BE LICENSED AS A FUNERAL SERVICE ESTABLISHMENT OR BE A BRANCH OF A VIRGINIA LICENSED ESTABLISHMENT. IN ADDITION TO CREMATORY REGISTRATION APPLICATION, A FUNERAL SERVICE ESTABLISHMENT APPLICATION MUST ALSO BE SUBMITTED.

APPLICANTS DO NOT USE SPACES BELOW THIS LINE – FOR OFFICE USE ONLY

APPROVED BY _____

LICENSE NUMBER	PENDING NUMBER	BASE STATE	RECEIPT NUMBER
----------------	----------------	------------	----------------

IF ALSO LICENSED AS A FUNERAL ESTABLISHMENT, COMPLETE THE BELOW SECTION

ESTABLISHMENT OR BRANCH NAME	ESTABLISHMENT OR BRANCH LICENSE NUMBER		
ESTABLISHMENT OR BRANCH STREET ADDRESS	CITY	STATE	ZIP CODE
FACILITY EMAIL ADDRESS	ESTABLISHMENT OR BRANCH PHONE NUMBER		
ESTABLISHMENT MANAGER'S NAME	MANAGER'S LICENSE NUMBER		
MANAGER'S EMAIL ADDRESS	MANAGER'S PHONE NUMBER		
MANAGER'S SIGNATURE			

CREMATORY MANAGER'S INFORMATION

MANAGER'S FIRST NAME	MANAGER'S MIDDLE NAME	MANAGER'S LAST NAME	
MANAGER'S LICENSE NUMBER (IF APPLICABLE)	MANAGER PHONE NUMBER		
HAS MANAGER HAD CREMATORY CERTIFICATION TRAINING? <input type="checkbox"/> YES <input type="checkbox"/> NO	HAS MANAGER HAD OSHA BLOODBORNE PATHOGEN CERTIFICATION TRAINING? <input type="checkbox"/> YES <input type="checkbox"/> NO		
STREET ADDRESS	CITY	STATE	ZIP CODE
EMAIL ADDRESS			

RETORT OPERATION – List all persons who operate the retort in the crematory and attach documentation of their certification(s).

FIRST NAME	MIDDLE NAME	LAST NAME
FIRST NAME	MIDDLE NAME	LAST NAME
FIRST NAME	MIDDLE NAME	LAST NAME

LICENSURE QUESTIONS

Any supporting documentation related to the questions below should be submitted to:
Virginia Board of Funeral Directors and Embalmers
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, VA 23233

	YES	NO
1. Will this business offer or provide the care or preparation (including embalming) of dead human bodies?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will this business sell or provide funeral related goods and services, arrange and/or conduct funerals?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will this business offer services to the public?	<input type="checkbox"/>	<input type="checkbox"/>
4. Has a facility that you owned ever been denied a funeral service license?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, submit notices, orders, etc. from the regulatory authority authorized to take such actions.		
5. Has a facility that you owned ever had any of the following disciplinary actions taken against its license to practice funeral services or any such actions pending, including but not limited to: suspension/revocation; probation; reprimand/cease and desist; monitored; monetary penalty?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, submit notices, orders, etc., from the regulatory authority authorized to take such actions.		

AFFIDAVIT OF APPLICANT

I certify that I have carefully read the laws and regulations related to the Virginia Board of Funeral Directors and Embalmers, which are available at <http://www.dhp.virginia.gov/funeral> and I fully understand that funds submitted as part of the application process shall not be refunded.

I certify by my signature below: I am the person applying for licensure/certification/registration and meet the qualifications required by Virginia law and regulations. Further, I certify the information provided on this application has been personally provided and reviewed by me, and that statements made on the application are true and complete. I understand that providing false or misleading information, as well as omitting information, in response to information required in this application or as part of the application process is considered falsification of the application and may be grounds for denial of or taking disciplinary action against an existing license/certificate/registration.

I agree to the above certification.

Signature of Applicant

Date



CHECKLIST AND INSTRUCTIONS FOR CONTINUING EDUCATION PROVIDERS

To be considered for approval, you must submit the application 60 days prior to offering continuing education course(s).

Requirements for continuing education can be found at [Virginia Code § 54.1-2816.1](#) and 18VAC65-20-152 of the Board's Regulations Governing Funeral Directors and Embalmers.

Board approval of continuing education providers shall expire on July 1 of each year and may be renewed in accordance with 18VAC65-20-152(B).

Please contact the Board if there are any changes to the courses and instructors offered, such as the title, content, etc.

- APPLICATION** – This application will not be considered until all sections have been completed.
- FEE** – **The fee for this application is \$400.00.** All fees are non-refundable whether approval is granted or denied. Make check or money order payable to the Treasurer of Virginia.
- COURSE CONTENT COMPACT DISC (CD)** – One (1) CD of course content must be submitted for consideration as PDF files. Do not protect the CD. The CD will not be returned to the applicant.

To facilitate review, Continuing Education Providers are asked to bookmark CD items as listed below:

- Title of course, objectives, and number of continuing education hours;
- Syllabus of course;
- Instructional plan;
- Course instructor credentials;
- Evaluation forms to be used with program;
- Sample certificate of completion for CE; and
- Advertising brochure for program.



CONTINUING EDUCATION PROVIDER APPLICATION

CONTINUING EDUCATION PROVIDER INFORMATION

CONTINUING EDUCATION PROVIDER NAME			
MAILING ADDRESS	CITY	STATE	ZIP CODE
LOCATION ADDRESS	CITY	STATE	ZIP CODE
TELEPHONE NUMBER	EMAIL ADDRESS		
NAME AND TITLE OF PERSON RESPONSIBLE FOR CE PROGRAM			
COURSE TITLE			NUMBER OF PROPOSED CE HOURS

AFFIDAVIT OF APPLICANT

By signing below as the applicant or representative of the applicant, I attest to the following:

- The information contained and statements in this application and the supporting documentation are true and accurate;
- I understand that providing any false information in this application shall constitute cause for denial of or withdrawal of approval to provide continuing education by the Board of Funeral Directors and Embalmers (“Board”);
- I understand that, as a Board-approved Continuing Education Provider, an authorized agent of the Board may conduct onsite or remote monitoring of the program(s) without payment of registration fees;
- I agree to provide to the Board, upon request anytime within two years of the program date, documentation of program content, names of participants, hours awarded, and certificates of completion; and
- I acknowledge that I have read and understand the statutes and regulations of the Board.

Print Name of Applicant/Person Responsible for CE Program: _____

Signature: _____ Date: _____

APPLICANTS DO NOT USE SPACES BELOW THIS LINE – FOR OFFICE USE ONLY

APPROVED BY _____

DATE SENT TO COMMITTEE	CE PROVIDER NUMBER	APPLICANT NUMBER	RECEIPT NUMBER
NUMBER OF PROPOSED HOURS	APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO		NUMBER OF APPROVED HOURS



Virginia Department of
Health Professions

Board of Funeral Directors and Embalmers



DISCIPLINE REPORT
JULY 14, 2020

DISCIPLINARY STATISTICS



October 4, 2019

- **50 Cases**
 - 2 at Informal
 - 0 at Formal
 - 17 at Enforcement
 - 31 at Probable Cause

 - 8 at Compliance

July 2, 2020

- **52 Cases**
 - 4 at Informal
 - 1 at Formal
 - 15 at Enforcement
 - 2 at APD
 - 30 at Probable Cause

 - 10 at Compliance

VIRGINIA PERFORMS

Q3 2020



- Clearance Rate – 110% (Goal is 100%) - 10 cases received, 11 cases closed
- Pending Caseload
 - Over 250 days was 14%– 4 case pending over 250 days
 - Over 415 days was 0%
- Time to Disposition
 - Cases closed within 250 days is 55% – 6 cases closed
 - Cases closed within 415 is 100% - 11 cases closed



TOTAL CASES RECEIVED AND CLOSED

Cases received/closed

Q4 2017 22/20

Q1 2018 12/14

Q2 2018 8/7

Q3 2018 12/18

Q4 2018 13/24

Q1 2019 26/13

Q2 2019 23/6

Q3 2019 18/25

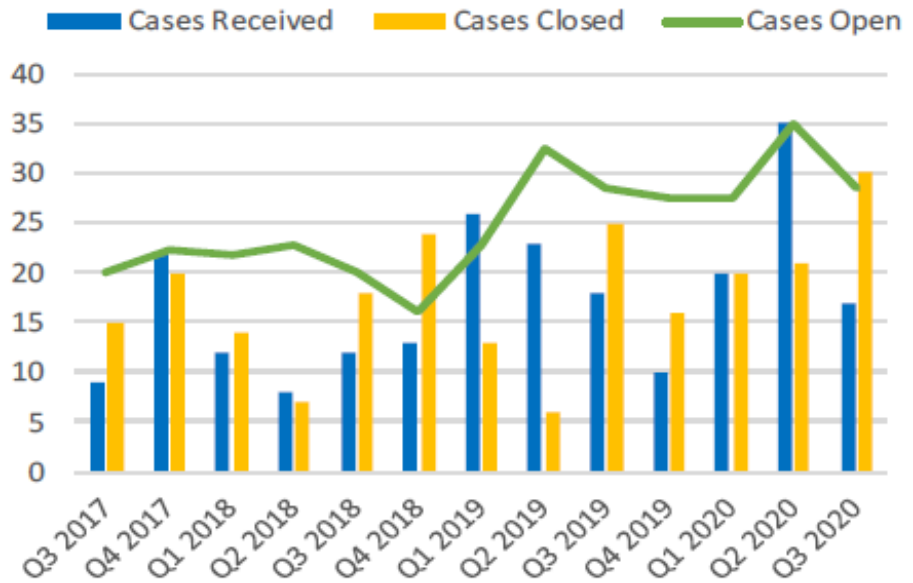
Q4 2019 10/16

Q1 2020 20/20

Q2 2020 35/21

Q3 2020 17/30

Funeral Directing



All Case Information



- **% of all cases closed in 365 days**

	Q2-19	Q3-19	Q4-19	Q1-20	Q2-20	Q3-20
○ FDE	83.3%	100%	73.3%	80.5%	90.3%	68.1%
○ Agency	84%	76.4%	82.3%	80.6%	72.9%	74.3%

- **Average age of cases closed**

○ FDE	298.8	116	259	287	180	243.7
○ Agency	169.2	258	204	214	258.4	236.4