
Call to Order – Jason Graves, Board Vice-President

- Welcome and Introductions
- Mission of the Board
- Emergency Egress Procedures

Approval of Minutes (p. 4-25)

- Board Meeting – April 15, 2022
- Formal Hearings – April 15, 2022 and June 16, 2022
- For informational purposes – Informal Conferences – June 28, 2022

Ordering of Agenda

Public Comment

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

Agency Report

Presentation

- 2022 Workforce Report – Funeral Service Provider – **Yetty Shobo, PhD, Director, Healthcare Workforce Data Center**

Staff Reports

- Executive Director’s Report – **Corie E. Tillman Wolf, Executive Director** (p. 57)
- Discipline Report – **Kelley Palmatier, Deputy Executive Director**
- Licensing Report – **Sarah Georgen, Licensing and Operations Manager**

Board Counsel Report

Committee and Board Member Reports

- International Conference Report – **Blair Nelsen, FSL**
- Alkaline Hydrolysis Workgroup Report – **Blair Nelsen, FSL**

Legislative and Regulatory Report – Erin Barrett, Senior Policy Analyst (p. 59)

- Report on Status of Regulatory Actions

Board Discussion and Actions – Erin Barrett (p. 61-68)

- Initiation of Amendments to Continuing Education Regulations
 - Adoption of Exempt Action Related to Preneed Funeral Planning CE (18VAC65-20-151)
 - Adoption of Fast-Track Action Related to Retention of CE Documents (18VAC65-20-153)
 - Revision of Guidance Document 65-15: Guidance for Granting Internship Extensions
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Elections

Next Meeting – October 21, 2022

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).

Approval of Minutes

April 15, 2022

The Virginia Board of Funeral Directors and Embalmers convened for a full board meeting on Friday, April 15, 2022, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Kenneth Scott Hickey, M.D., Citizen Member, President
Jason Graves, FSL, Vice-President
Joseph Michael Williams, FSL, Secretary-Treasurer
Lacyn Barton, FSL
Muhammad Hanif, Citizen Member
Mia F. Mimms, FSL, J.D.
Blair H. Nelsen, FSL
R. Thomas Slusser, Jr., FSL
Joseph Frank Walton, FSL

BOARD MEMBERS ABSENT:

None

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

David Brown, D.C., Director, DHP
Erin Barrett, Senior Policy Analyst
Lynne Helmick, Inspections Compliance Specialist
Sarah Georgen, Licensing and Operations Manager
Kelley Palmatier, Deputy Executive Director
James Rutkowski, Assistant Attorney General, Board Counsel
Corie Tillman Wolf, Executive Director
Heather Wright, Program Manager

OTHER GUESTS PRESENT

Paul Harris, Regulatory Support Services
Sam Rhue, FSL, John Tyler Community College
Barry Robinson, Virginia Morticians' Association
Ben Tranham, Hancock, Daniel, & Johnson, P.C.

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

CALL TO ORDER

Dr. Hickey called the meeting to order at 10:00 a.m. and asked the Board members and staff to introduce themselves.

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

Dr. Hickey read the mission of the Board, which is also the mission of the Department of Health Professions.

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

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF MINUTES

Dr. Hickey opened the floor to any edits or corrections regarding the draft minutes for the Board meeting, and Public Hearing held on February 11, 2022. With no edits or corrections, the minutes were approved as presented.

ORDERING OF THE AGENDA

Ms. Tillman Wolf requested to change the order of the agenda to allow the Committee and Board Member Reports to come before the Legislative and Regulatory Report.

Upon a **MOTION** by Ms. Barton, properly seconded by Mr. Williams, the Board voted to accept the agenda as amended. The motion carried (9-0).

PUBLIC COMMENT

Mr. Robinson, Virginia Morticians' Association thanked Mr. Walton for volunteering to provide a presentation to the organization in July 2022. He requested clarification on the use of hybrid meetings of the Board.

Mr. Rhue, John Tyler Community College, thanked the Board for reviewing the educational requirements of the Associates Degree in Funeral Directing program through John Tyler Community College.

Ms. Tillman Wolf clarified electronic meetings cannot currently be offered.

AGENCY REPORT

Dr. Brown informed the Board that Dr. Allison-Bryan had retired in March 2022 and commended her hard work with DHP.

Dr. Brown stated that the metrics of COVID are improving statewide and nationally.

Dr. Brown stated that on April 4, 2022, DHP employees returned to the office and will allow up to three days a week for teleworking, which was at supervisors' discretion. Dr. Brown stated that guidance from the

Department of Human Resource Management (DHRM) might be provided in the future regarding teleworking procedures.

Dr. Brown reported on possible virtual or phone access to Board meetings in the future, but at the current time, virtual meetings were not available.

He also provided an update on the audio system. He stated that the estimated time frame was summer 2022, but the updates have not occurred due to vendor backlogs.

Dr. Brown stated that he is waiting to hear from the Governor’s Office regarding the appointment of his position with DHP.

With no questions, Dr. Brown concluded his report.

STAFF REPORTS

Executive Director’s Report – Corie E. Tillman Wolf, J.D., Executive Director

COVID Data

Ms. Tillman Wolf provided an overview of the COVID Data statistics as of April 14, 2022, as provided by the Virginia Department of Health (VDH).

Board Updates

Ms. Tillman Wolf provided information to the Board members regarding completion of the 2022 license renewals. She also provided information regarding the updates to the Funeral Internship Regulations that became effective March 3, 2022, and the preparation for scheduling the Alkaline Hydrolysis Workgroup as required by Senate Bill 129 enacted by the 2022 General Assembly.

Ms. Tillman Wolf provided an update on the number of applications received for individual funeral director and embalmer licenses since implementing the Board’s Emergency Regulations, which became effective on January 5, 2021. She reported that as of April 14, 2022, the Board had received the following:

	Applications Received
Funeral Director	17
Funeral Director Intern	27
Embalmer	1
Embalmer Intern	2
Funeral Service Intern	130
Funeral Service Licensee	81

International Conference

Ms. Tillman Wolf reported on the International Conference's 2022 Annual Meeting in Houston, Texas, from February 22-25, 2022. She said that Ms. Barton served as the voting delegate; Mr. Nelsen presided over the meeting as President of the Conference Board of Directors; and Kelley Palmatier, Deputy Executive Director, also attended.

Budget

Expenditure and Revenue Summary as of December 31, 2021

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of December 31, 2021.

Cash Balance as of June 30, 2021	\$848,630
YTD FY22 Revenue	\$ 51,430
Less: FY22 Direct & Allocated Expenditures	\$351,092
Cash Balance as of December 31, 2021	\$548,968

2022 Board Meeting Dates

Ms. Tillman Wolf announced the remaining 2022 Board meeting dates.

- July 15, 2022
- October 21, 2022

Ms. Tillman Wolf thanked members for all they do to support the Board.

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

Discipline Report – Kelley Palmatier, J.D., Deputy Executive Director

As of April 8, 2022, Ms. Palmatier reported the following disciplinary statistics:

- 55 Patient Care Cases
 - 1 at Informal
 - 4 at Formal
 - 19 at Enforcement
 - 28 at Probable Cause
 - 3 at APD
- 26 Non Patient Care Cases
 - 1 at Informal
 - 3 at Formal
 - 7 at Enforcement
 - 14 at Probable Cause

- 1 at APD
- 21 at Compliance

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

- Q2 2020 – 35/21
- Q3 2020 – 17/30
- Q4 2020 – 16/13
- Q1 2021 – 15/18
- Q2 2021 – 12/12
- Q3 2021 – 20/22
- Q4 2021 – 22/10
- Q1 2022 – 19/18
- Q2 2022 – 19/12

Percentage of all cases closed in 365 days

	Q1-21	Q2-21	Q3-21	Q4-21	Q1-22	Q2-22
FDE	75.8%	87%	51.4%	69.2%	40.0%	76.0%
Agency	70.1%	64%	71.1%	68.8%	66.0%	70.7%

With no questions, Ms. Palmatier concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Manager

Ms. Georgen provided information regarding the 2022 renewals for the Board regarding notices and reminders. She reported an increase in establishment email addresses based on the Board staff’s initiative to collect this information.

Ms. Georgen presented licensure statistics that included the following information:

Licensure Renewals – All Licenses as of March 31, 2022

License	Renewed	Not Renewed	Renewed %
Funeral Service Licensees	1,421	113	92.63%
Funeral Director	28	5	84.85%
Embalmer Only	2	2	100.00%
Funeral Service Interns	156	45	77.61%
Funeral Directing Interns	8	2	80.00%
Funeral Establishments	388	24	94.17%
Branch Establishments	73	6	92.41%
Crematories	104	4	96.30%

Courtesy Card Holders	106	14	88.33%
Surface Transport & Removal Svc.	34	18	65.38%

Licensure Statistics – All Licenses

License	February 9, 2022	April 7, 2022	Difference (+/-)
Funeral Service Licensees	1,566	1,481	-85
Funeral Director	35	34	-1
Embalmer Only	3	3	0
Supervisors	576	543	-33
Funeral Service Interns	252	215	-37
Funeral Directing Interns	15	17	2
Embalmer Interns	0	0	0
Funeral Establishments	422	410	-12
Branch Establishments	86	79	7
Crematories	123	123	0
CE Providers	11	11	0
Courtesy Card Holders	123	110	-13
Surface Transport & Removal Svc.	57	42	-15
Total (*not incl. supervisors)	2,693	2,525	-168

Ms. Georgen answered questions from the Board.

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

Inspections Report – Lynne Helmick, Inspections Compliance Specialist

Routine Inspections Completed – October 12, 2021, to April 7, 2022

Type	In-Person	Virtual
Main Establishments	45	6

Branch Establishments	9	0
Crematories	9	1

Main and Branch Establishment Deficiencies

Ms. Helmick reported on the main and branch establishment deficiencies, which included:

- 43 establishments with deficiencies
- 28 establishments with deficiencies regarding the General Price List
- 54 total deficiencies

Ms. Helmick reported that there were more individual General Price List deficiencies than reflected in those numbers, but that some inspectors will cite several non-compliances under one deficiency.

Ms. Helmick reported that most of the General Price List deficiencies were related to direct cremation and immediate burial.

She also reported ten deficiencies related to embalming reports or permission to embalm.

Ms. Helmick reported on the Crematory deficiencies, which included five crematory deficiencies due to missing information on the required forms and the lack of refrigeration logs.

Ms. Helmick reported that there had been no issues related to COVID during this period.

With no questions, Ms. Helmick concluded her report.

BOARD COUNSEL REPORT – Jim Rutkowski, Assistant Attorney General

Mr. Rutkowski stated that the Attorney General’s office is searching for a permanent replacement for Ms. Barrett. He said that he, or other staff from the Attorney General’s office, would attend any necessary Board meetings until Ms. Barrett’s position was filled.

Mr. Rutkowski provided an update on a pending court case involving the Board.

COMMITTEE AND BOARD MEMBER REPORTS

Board of Health Professions Report – Kenneth Scott Hickey, MD

Dr. Hickey noted that the most current minutes from the Board of Health Professions’ dated March 29, 2022, were provided to the Board members.

Report from the International Conference – Blair Nelsen, FSL

Mr. Nelsen reported on the Conference Strategy Refresh Workshop meeting, which occurred on April 12-13, 2022. He provided information related to the upcoming changes related to the examinations provided by the International Conference.

Mr. Nelsen answered questions from the Board Members.

With no further questions, Mr. Nelsen concluded his report.

Report from the International Conference Annual Meeting – Lacyn Barton, FSL and Blair Nelsen, FSL

Ms. Barton provided a report regarding the International Conference 118th Annual Meeting in Houston, Texas, from February 22-25, 2022. She thanked the Board for the opportunity to attend the Board Member Training before the Annual Meeting. She congratulated Mr. Nelsen on his past presidency.

Mr. Nelsen provided a brief report and stated that the International Conference was able to fund one delegate from all jurisdictions to attend the meeting.

Mr. Nelsen announced that the 119th Annual Meeting will occur from March 1-2, 2023, in Chandler, Arizona. He encouraged Board Members to express any interest in attending the meeting to Ms. Tillman Wolf.

BREAK

The Board took a break at 11:03 a.m. and returned at 11:14 a.m.

LEGISLATION AND REGULATORY ACTIONS – Erin Barrett, Senior Policy Analyst

Report on Status of Regulations

Ms. Barrett provided a report on the status of the Board's pending regulations.

With no questions, Ms. Barrett concluded her report.

Legislative Report

Ms. Barrett provided a report on legislation from the 2022 General Assembly.

With no questions, Ms. Barrett concluded her report.

BOARD DISCUSSION AND ACTIONS

Adoption of Final Regulations for the Licensure of Funeral Directors and Embalmers (18VAC65, Chapters 20, 30, 40)

Ms. Barrett provided an overview of the final, permanent regulations for licensure of individual funeral directors and embalmers, which were adopted by the Board as Emergency Regulations.

Upon a **MOTION** by Mr. Walton, properly seconded by Mr. Williams, the Board voted to adopt the final regulations for licensure of funeral directors and embalmers for Chapters 20, 30, and 40 as presented. The motion carried (9-0)

Upon a **MOTION** by Mr. Nelsen, properly seconded by Mr. Williams, the Board voted to request a six month extension of emergency regulations set to expire on July 4, 2022, as presented. The motion carried (9-0).

Consideration of Legislative Proposal for 2023 – Amendments to Virginia Code §54.1-2817 – Funeral Service Interns

Ms. Barrett provided an overview of the Board’s previous legislative proposal regarding the timeframe for completion of a funeral internship. The proposal was updated to address the language regarding criminal convictions for intern applicants.

Upon a **MOTION** by Mr. Walton, properly seconded by Mr. Graves, the Board voted to advance the legislative proposal for consideration for inclusion in the Governor's legislative package for the 2023 General Assembly Session as presented. The motion carried (9-0).

Consideration of Amendments to Preneed Regulations (HB 1269 – 2022 Acts of Assembly, Ch. 18) (18VAC65-30-10 et seq.)

Ms. Barrett provided an overview of a proposed exempt action to conform the Board’s preneed regulations to the statutory language in § 54.1-2820 of the *Code*, which recently became effective as a result of HB 1269.

Upon a **MOTION** by Ms. Barton, properly seconded by Ms. Mimms, the Board voted to adopt the exempt changes to 18VAC65-30-220 as presented. The motion carried (9-0).

Ms. Tillman Wolf requested input from the Board regarding a question received from the Virginia Funeral Directors’ Association about the impact of the change of valuation language on potential charges from funeral licensees regarding guarantees of services through a preneed contract. Ms. Tillman Wolf further discussed the potential impact on the Board’s preneed regulations and Appendix I regarding the GPL.

Upon a **MOTION** by Mr. Nelsen, properly seconded by Mr. Slusser, the Board voted to refer these questions to the Legislative Regulatory Committee for further discussion and request that the Committee report back to the Board by January 2023. The motion carried (9-0).

Ms. Tillman Wolf stated that she will try to engage a preneed insurance provider to attend the meeting in an advisory capacity.

Approval of Funeral Director Program – John Tyler Community College Associates Degree in Funeral Directing

Ms. Tillman Wolf provided an overview of information received from Mr. Sam Rhue, Program Director at John Tyler Community College, regarding its recently approved Associate's Degree in Funeral Directing. She provided an overview of the Board's current requirements for funeral directing education.

Upon a **MOTION** by Mr. Graves, properly seconded by Mr. Williams, the Board voted to approve the Associate's Degree in Funeral Directing program through John Tyler Community College as a funeral directing program and as meeting the educational requirements for licensure of funeral directors established by the Board in the current Emergency Regulations under 18VAC65-20-231 as presented. The motion carried (8-0-1). Mr. Walton abstained from the vote.

BOARD MEMBER RECOGNITION

Dr. Hickey recognized Mr. R. Thomas Slusser, Jr., for his dedication to the Board of Funeral Directors and Embalmers. Mr. Slusser provided brief remarks on his experience on the Board.

NEXT MEETING

The next meeting date is July 15, 2022.

ADJOURNMENT

With all business concluded, the meeting adjourned at 12:08 p.m.

Corie Tillman Wolf, J.D., Executive Director

Date

Unapproved

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

Friday, April 15, 2022

**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 1:05 p.m.

MEMBERS PRESENT: Kenneth “Scott” Hickey, M.D., President (Chair)
Jason Graves, FSL, Vice President
Joseph Frank Walton, FSL
Joseph Michael Williams, FSL
Lacyn Barton, FSL
R. Thomas Slusser, Jr., FSL
Mia Mimms, FSL

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

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

COURT REPORTER: Farnsworth & Taylor Reporting

PARTIES ON BEHALF OF COMMONWEALTH: Erin Weaver, Assistant Attorney General
Grace Stewart, Adjudication Specialist

COMMONWEALTH’S WITNESSES: Stephen Shirley, Senior Investigator, DHP
Shirlene Robinson-Sinkfield
Gayle Miller, Senior Investigator, DHP
Wendy Ashworth, Senior Inspector, DHP

OTHERS PRESENT: Angela Pearson
Lynne Helmick
Christine Corey
Lisa Armstrong
Adina Pogue
Timothy Sinkfield
Leith Ellis

MATTER: **Kimberly Redmond-Cosby, FSL**
License No.: 0502-900388
Case #'s 196967 & 211665

ESTABLISHMENT OF A QUORUM: With seven (7) members present, a quorum was established. Mia Mimms left the proceeding at 2:01 p.m. and the Board retained a quorum of six (6) members for the remainder of the proceeding.

DISCUSSION: Ms. Redmond-Cosby appeared before the Board in accordance with the Notice of Formal Hearing dated March 29, 2022. Ms. Redmond-Cosby was represented by counsel, Michael T. Soberick, Esquire.

The Board received evidence and sworn testimony on behalf of the Commonwealth and Ms. Redmond-Cosby regarding the allegations in the Notice.

CLOSED SESSION: Upon a motion by Jason Graves and duly seconded by Michael Williams, 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 Kimberly Redmond-Cosby, FSL. Additionally, he moved that Mr. Rutkowski, 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: Having 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 Jason Graves and duly seconded by Michael Williams, the Board denied the application for reinstatement of the Funeral Service License of Kimberly Redmond-Cosby. The motion carried.

VOTE: The vote was unanimous. (6-0)

ADJOURNMENT: The Board adjourned at 4:03 p.m.

For the Board:

Corie Tillman Wolf, JD, Executive Director

Date

Unapproved

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

Friday, April 15, 2022

**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 4:17 p.m.

MEMBERS PRESENT: Kenneth “Scott” Hickey, M.D., President (Chair)
Jason Graves, FSL, Vice President
Joseph Frank Walton, FSL
Joseph Michael Williams, FSL
Lacyn Barton, FSL
R. Thomas Slusser, Jr., FSL

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

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

COURT REPORTER: Farnsworth & Taylor Reporting

PARTIES ON BEHALF OF COMMONWEALTH: Erin Weaver, Assistant Attorney General
Grace Stewart, Adjudication Specialist

COMMONWEALTH’S WITNESSES: Gayle Miller, Senior Investigator, DHP

Previous testimony incorporated by:
Stephen Shirley, Senior Investigator, DHP
Wendy Ashworth, Senior Inspector, DHP

OTHERS PRESENT: Angela Pearson
Christine Corey
Lisa Armstrong
Adina Pogue

MATTER: **J. K. Redmond Funeral
License No.: 0501-000504
Case #'s 196971 & 217032**

ESTABLISHMENT OF A QUORUM:

With six (6) members present, a quorum was established.

DISCUSSION:

Ms. Redmond-Cosby, FSL, Manager of Record, appeared before the Board in accordance with the Notice of Formal Hearing dated March 25, 2022. J. K. Redmond Funeral Home was represented by counsel, Michael T. Soberick, Esquire.

The Board received evidence and sworn testimony on behalf of the Commonwealth and Ms. Redmond-Cosby regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Jason Graves and duly seconded by Michael Williams, 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 J. K. Redmond Funeral Home. Additionally, he moved that Mr. Rutkowski, 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:

Having 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 Jason Graves and duly seconded by Frank Walton, the Board voted and ordered that the application for reinstatement of J.K. Redmond Funeral Home is approved contingent upon payment of a past due monetary penalty, approval from the Board of a full time Manager of Record, and payment of an additional monetary penalty within 45 days. Upon reinstatement, the license of the funeral establishment will be placed on probation for a period of not less than three years, subject to unannounced inspections. The motion carried.

VOTE:

The vote was unanimous. (6-0)

ADJOURNMENT:

The Board adjourned at 5:50 p.m.

For the Board:

Corie Tillman Wolf, JD, Executive Director

Date

Unapproved

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

Thursday, June 16, 2022

**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 9:31 a.m.

MEMBERS PRESENT:

Jason Graves, FSL, Vice President (Chair)
Joseph Michael Williams, FSL
Joseph Frank Walton, FSL
Lacyn Barton, FSL
R. Thomas Slusser, Jr., FSL
Mia Mimms, FSL
Blair Nelsen, FSL
Muhammad Hanif, Citizen Member

BOARD COUNSEL:

James Rutkowski, Assistant Attorney General

DHP STAFF PRESENT:

Corie Tillman Wolf, Executive Director
Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager

COURT REPORTER:

Halasz Reporting & Video

**PARTIES ON BEHALF OF
COMMONWEALTH:**

Christine Corey, Adjudication Specialist, Administrative Proceedings Division
Julia Bennett, Deputy Director, Administrative Proceedings Division

**COMMONWEALTH'S
WITNESS:**

Jermial Gray, Senior Investigator, DHP

RESPONDENT'S WITNESS:

Thomas Bryant

MATTER:

**Robert Paul Jones, FSL Reinstatement Applicant
License No.: 0502-890015
Case Numbers: 136986, 137352 & 216565**

ESTABLISHMENT OF A QUORUM:

With eight (8) members present, a quorum was established.

DISCUSSION:

Mr. Robert Paul Jones appeared before the Board in accordance with the Notice of Formal Hearing dated May 24, 2022. Mr. Jones was not represented by counsel.

The Board received evidence and sworn testimony on behalf of the Commonwealth and Mr. Jones regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Joseph Michael Williams and duly seconded by Blair Nelsen, 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 Robert Paul Jones, FSL Reinstatement Applicant. Additionally, he moved that Mr. Rutkowski, Ms. Tillman Wolf, Ms. Palmatier and Ms. Pearson attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having 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 Michael Williams and duly seconded by Lacyn Barton, the Board denied the application for reinstatement of the Funeral Service License of Robert Paul Jones. Mr. Jones is continued on indefinite suspension for not less than twenty-four months. The motion carried.

VOTE:

The vote was unanimous. (8-0)

ADJOURNMENT:

The Board adjourned at 10:53 a.m.

For the Board:

Kelley W. Palmatier, JD, Deputy Executive Director

Date

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

Thursday, June 16, 2022

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 1:02 p.m.

MEMBERS PRESENT: Jason Graves, FSL, Vice President (Chair)
Joseph Michael Williams, FSL
Joseph Frank Walton, FSL
Lacyn Barton, FSL
R. Thomas Slusser, Jr., FSL
Muhammad Hanif, Citizen Member

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

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

COURT REPORTER: Halasz Reporting & Video

PARTIES ON BEHALF OF COMMONWEALTH: Claire Foley, Adjudication Specialist, Administrative Proceedings Division

COMMONWEALTH'S WITNESS: Renee White, Senior Investigator, DHP

MATTER: **Carson A. Robbins, FSL Reinstatement Applicant**
License No.: 0502-900455
Case Number: 207044

OTHERS PRESENT: Angela Pearson

ESTABLISHMENT OF A QUORUM: With six (6) members present, a quorum was established.

DISCUSSION: Mr. Carson Robbins appeared before the Board in accordance with the Notice of Formal Hearing dated May 24, 2022. Mr. Jones was not represented by counsel.

The Board received evidence and sworn testimony on behalf of the Commonwealth and Mr. Jones regarding the allegations in the Notice.

CLOSED SESSION:

Upon a motion by Joseph Michael Williams and duly seconded by R. Thomas Slusser, Jr., 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 Robert Paul Jones, FSL Reinstatement Applicant. Additionally, he moved that Mr. Rutkowski, 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:

Having 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 Michael Williams and duly seconded by Lacyn Barton, the Board granted the application for reinstatement of the Funeral Service License of Carson A. Robbins contingent upon terms of the Order. Within 45 days of the Order, provide evidence of compliance with the terms of the June 3, 2008 Board Order. Within 90 days of the Order, provide evidence of passage of the state examination for the practice of funeral services. Upon receipt of evidence of compliance with the terms, once the license is issued, Mr. Robbins will be on indefinite probation for no less than three years. During the period of probation, Mr. Robbins shall not serve as a manager of record and shall not engage in the counseling or sale of preneed funeral contracts. The motion carried.

VOTE:

The vote was unanimous. (6-0)

ADJOURNMENT:

The Board adjourned at 2:34 p.m.

For the Board:

Kelley W. Palmatier, JD, Deputy Executive Director

Date

Unapproved

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

June 28, 2022

**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 1:30 p.m.

MEMBERS PRESENT:

Blair Nelsen, FSL, Chair
Mia Mimms, FSL

DHP STAFF PRESENT:

Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Claire Foley, Administrative Proceedings Division

MATTER:

**Patrick Lee Morris, FSL
License No.: 0502-900915
Case Number: 208132**

DISCUSSION:

Patrick Lee Morris, FSL, appeared before the Committee in accordance with the Board's Notice of Informal Conference dated April 26, 2022.

The Committee fully discussed the allegations as referenced in the Notice of Informal Conference with Patrick Lee Morris, FSL.

CLOSED SESSION:

Upon a motion by Mia Mimms and duly seconded by Blair Nelsen, 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 Patrick L. Morris, FSL. Additionally, she 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 to ask additional questions of Patrick Lee Morris, FSL.

CLOSED SESSION: Upon a motion by Mia Mimms and duly seconded by Blair Nelsen, the Committee voted to reconvene 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 Patrick L. Morris, FSL. Additionally, she 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 Mia Mimms and duly seconded by Blair Nelsen, the Committee voted to refer the case to a Formal Hearing.

ADJOURNMENT: The Committee adjourned at 2:46 p.m.

Kelley W. Palmatier, J.D., Deputy Executive Director

Date



Unapproved

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

June 28, 2022

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 3:31 p.m.

MEMBERS PRESENT: Blair Nelsen, FSL, Chair
Mia Mimms, FSL

DHP STAFF PRESENT: Kelley Palmatier, Deputy Executive Director
Angela Pearson, Senior Discipline Manager
Claire Foley, Administrative Proceedings Division

MATTER: Fenton Lee Bland, Jr., FSL
License No.: 0502-860051
Case Number: 216888

DISCUSSION: Fenton Lee Bland, Jr. FSL, appeared before the Committee in accordance with the Board's Notice of Informal Conference dated April 15, 2022.

The Committee fully discussed the allegations as referenced in the Notice of Informal Conference with Fenton Lee Bland, Jr., FSL.

CLOSED SESSION: Upon a motion by Mia Mimms and duly seconded by Blair Nelsen, 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, she 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 Mia Mimms and duly seconded by Blair Nelsen, the Committee voted to refer the case to a Formal Hearing.

ADJOURNMENT:

The Committee adjourned at 3:58 p.m.

Kelley W. Palmatier, J.D., Deputy Executive Director

Date



Presentation

DRAFT

Virginia's Funeral Service Provider Workforce: 2022

Healthcare Workforce Data Center

May 2022

Virginia Department of Health Professions
Healthcare Workforce Data Center
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, VA 23233
804-597-4213, 804-527-4434 (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/>

Nearly 1,300 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 their ongoing cooperation.

Thank You!

Virginia Department of Health Professions

David E. Brown, DC
Director

Healthcare Workforce Data Center Staff:

Elizabeth Carter, PhD
Director

Yetty Shobo, PhD
Deputy Director

Rajana Siva, MBA
Data Analyst

Christopher Coyle
Research Assistant

Virginia Board of Funeral Directors and Embalmers

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Richmond

R. Thomas Slusser, Jr., FSL
Clifton Forge

Joseph Frank Walton, FSL
Virginia Beach

Executive Director

Corie E. Tillman Wolf, JD

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The Funeral Service Provider Workforce At a Glance:

The Workforce

Licensees:	1,583
Virginia's Workforce:	1,297
FTEs:	1,298

Background

Rural Childhood:	49%
HS Diploma in VA:	72%
Prof. Degree in VA:	49%

Current Employment

Employed in Prof.:	89%
Hold 1 Full-Time Job:	72%
Satisfied?:	96%

Survey Response Rate

All Licensees:	80%
Renewing Practitioners:	85%

Education

Associate:	74%
Baccalaureate:	18%

Job Turnover

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

Demographics

Female:	34%
Diversity Index:	41%
Median Age:	55

Finances

Median Income: \$60k-\$70k	
Retirement Benefits:	46%
Under 40 w/ Ed. Debt:	40%

Time Allocation

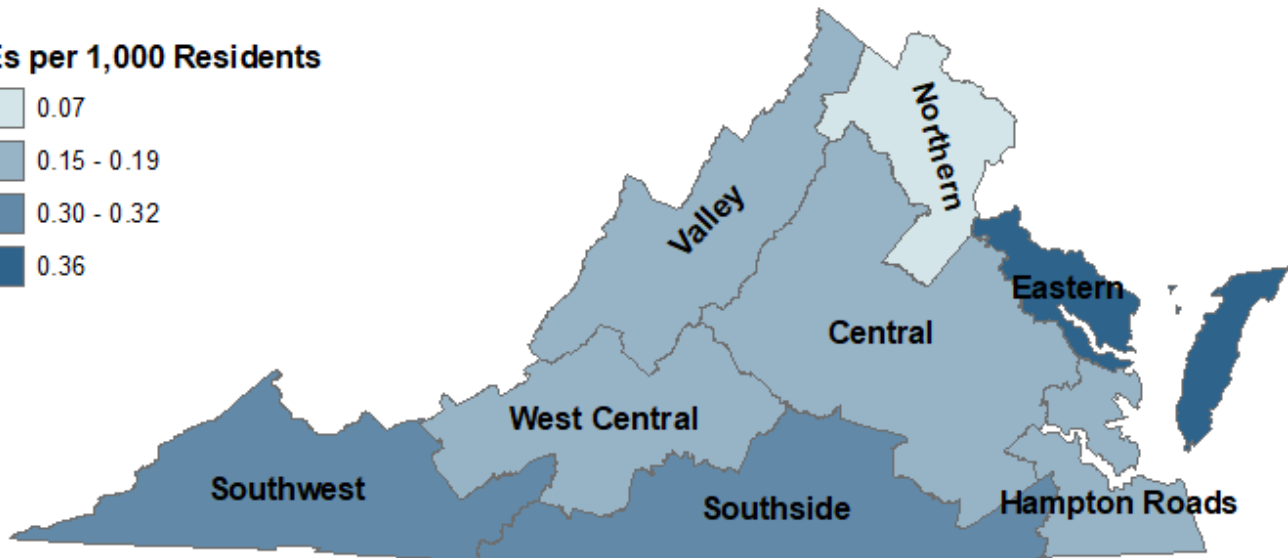
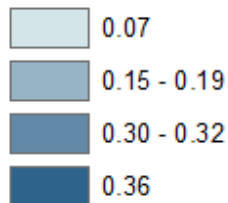
Client Care:	40%-49%
Administration:	40%-49%
Client Care Role:	28%

Source: Va. Healthcare Workforce Data Center

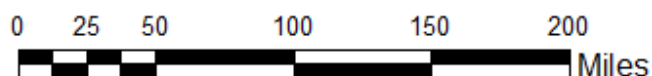
Full-Time Equivalency Units Provided by Funeral Service Providers per 1,000 Residents by Virginia Performs Region

Source: Va Healthcare Work force Data Center

FTEs per 1,000 Residents



Annual Estimates of the Resident Population: July 1, 2020
Source: U.S. Census Bureau, Population Division



This report contains the results of the 2022 Funeral Service Provider (FSP) Workforce Survey. Nearly 1,300 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 80% of the 1,583 FSPs who are licensed in the state and 85% of renewing practitioners.

The HWDC estimates that 1,297 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 1,298 "full-time equivalency units," which the HWDC defines simply as working 2,000 hours per year.

More than one-third of all FSPs are female, including 57% of those FSPs who are under the age of 40. In a random encounter between two FSPs, there is a 41% chance that they would be of different races or ethnicities, a measure known as the diversity index. However, this diversity index decreases to 36% for those FSPs who are under the age of 40. Both of these values are below the comparable diversity index of 60% for Virginia's population as a whole. Nearly half of all FSPs grew up in a rural area, and 31% of this group of professionals currently work in a non-metro area of Virginia. In total, 20% of all FSPs currently work in a non-metro area of the state.

Among all FSPs, 89% are currently employed in the profession, 72% hold one full-time job, and 52% work between 40 and 49 hours per week. Nearly all FSPs work in the private sector, including 96% who work in the for-profit sector. More than half of all FSPs are employed at a funeral-only establishment, while another 36% of FSPs work at a funeral establishment that also provides crematory services. The median annual income for Virginia's FSP workforce is between \$60,000 and \$70,000. In addition, 72% of wage or salaried FSPs receive at least one employer-sponsored benefit, including 56% who have access to health insurance. Overall, 96% of FSPs are satisfied with their current employment situation, including 80% who indicated that they are "very satisfied."

Summary of Trends

In this section, all statistics for the current year are compared to the 2017 FSP workforce. The number of licensed FSPs in Virginia has increased by 2% (1,583 vs. 1,557). In addition, the size of the FSP workforce has increased by 5% (1,297 vs. 1,239), and the number of FTEs provided by this workforce has increased by 3% (1,298 vs. 1,263). Virginia's renewing FSPs are considerably more likely to respond to this survey (85% vs. 53%).

Virginia's FSPs are relatively more likely to be female (34% vs. 26%), and this is also true among FSPs who are under the age of 40 (57% vs. 46%). There has been no change in the diversity index of the FSP workforce (41%). However, the diversity index among FSPs who are under the age of 40 has fallen (36% vs. 39%) at a time when the comparable diversity index of Virginia's overall population has increased (60% vs. 56%). FSPs are less likely to have grown up in a rural area (49% vs. 56%), and this group of professionals is less likely to work in a non-metro area of Virginia (31% vs. 38%). In total, the percentage of all FSPs who work in a non-metro area of the state has declined (20% vs. 25%).

FSPs are more likely to be currently employed in the profession (89% vs. 87%) and work between 40 and 49 hours per week (52% vs. 50%). On the other hand, the percentage of FSPs who hold one full-time job has fallen (72% vs. 76%). There has been no change in the one-year rates of involuntary unemployment (1%) and underemployment (1%). At the same time, FSPs are less likely to be employed at their primary work location for more than two years (78% vs. 80%).

The median annual income of Virginia's FSPs has increased (\$60k-\$70k vs. \$50k-\$60k), and these professionals are relatively more likely to receive this income in the form of an hourly wage (25% vs. 22%) instead of a salary (62% vs. 64%). Meanwhile, FSPs who receive either a salary or an hourly wage at their primary work location are less likely to receive at least one employer-sponsored benefit (72% vs. 75%), and this includes those FSPs who have access of health insurance (56% vs. 59%). FSPs are slightly more likely to indicate that they are "very satisfied" with their current work situation (80% vs. 79%).

A Closer Look:

Licensees		
License Status	#	%
Renewing Practitioners	1,447	91%
New Licensees	51	3%
Non-Renewals	85	5%
All Licensees	1,583	100%

Source: Va. Healthcare Workforce Data Center

HWDC surveys tend to achieve very high response rates. Among all renewing FSPs, 85% submitted a survey. These represent 80% of the 1,583 FSPs who held a license at some point in the past year.

Definitions

- 1. The Survey Period:** The survey was conducted in March 2022.
- 2. Target Population:** All FSPs who held a Virginia license at some point between April 2021 and March 2022.
- 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	53	117	69%
35 to 39	24	102	81%
40 to 44	26	117	82%
45 to 49	27	131	83%
50 to 54	28	166	86%
55 to 59	31	159	84%
60 to 64	36	142	80%
65 and Over	97	327	77%
Total	322	1,261	80%
New Licenses			
Issued in Past Year	33	18	35%
Metro Status			
Non-Metro	65	262	80%
Metro	215	768	78%
Not in Virginia	42	231	85%

Source: Va. Healthcare Workforce Data Center

Response Rates	
Completed Surveys	1,261
Response Rate, All Licensees	80%
Response Rate, Renewals	85%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Licensed FSPs

Number: 1,583
 New 3%
 Not Renewed: 5%

Response Rates

All Licensees: 80%
 Renewing Practitioners: 85%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Workforce

FSP Workforce: 1,297
 FTEs: 1,298

Utilization Ratios

Licenses in VA Workforce: 82%
 Licenses per FTE: 1.22
 Workers per FTE: 1.00

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.

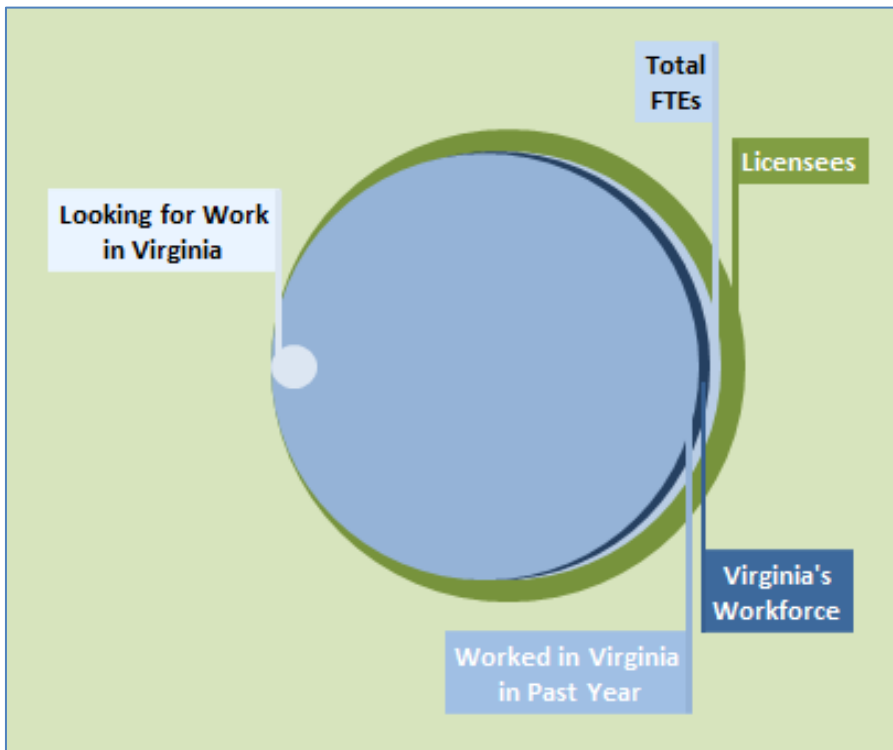
Virginia's FSP Workforce

Status	#	%
Worked in Virginia in Past Year	1,283	99%
Looking for Work in Virginia	14	1%
Virginia's Workforce	1,297	100%
Total FTEs	1,298	
Licenses	1,583	

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 the 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	33	35%	62	65%	95	12%
35 to 39	34	57%	26	43%	60	7%
40 to 44	47	53%	41	47%	88	11%
45 to 49	51	61%	33	39%	84	10%
50 to 54	56	66%	30	34%	86	11%
55 to 59	76	73%	29	28%	105	13%
60 to 64	72	74%	25	26%	97	12%
65 and Over	159	84%	31	16%	191	24%
Total	529	66%	276	34%	805	100%

Source: Va. Healthcare Workforce Data Center

Race & Ethnicity					
Race/Ethnicity	Virginia*	Funeral Service Providers		FSPs Under 40	
	%	#	%	#	%
White	59%	612	74%	126	79%
Black	18%	170	21%	12	8%
Asian	7%	4	0%	2	1%
Other Race	1%	1	0%	0	0%
Two or More Races	5%	18	2%	6	4%
Hispanic	11%	21	3%	13	8%
Total	100%	826	100%	159	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, 2020.

Source: Va. Healthcare Workforce Data Center

At a Glance:

Gender
 % Female: 34%
 % Under 40 Female: 57%

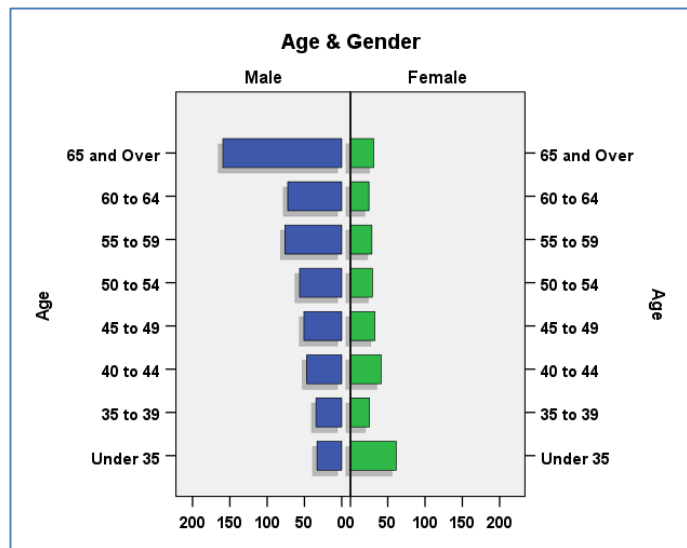
Age
 Median Age: 55
 % Under 40: 19%
 % 55 and Over: 49%

Diversity
 Diversity Index: 41%
 Under 40 Div. Index: 36%

Source: Va. Healthcare Workforce Data Center

In a chance encounter between two FSPs, there is a 41% 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 60%.

Nearly 20% of all FSPs are under the age of 40, and 57% of this group of professionals are female. In addition, the diversity index among this group of FSPs is 36%.



Source: Va. Healthcare Workforce Data Center

At a Glance:

Childhood

Urban Childhood: 15%
 Rural Childhood: 49%

Virginia Background

HS in Virginia: 72%
 Prof. Edu. in VA: 49%
 HS or Prof. Edu. in VA: 78%

Location Choice

% Rural to Non-Metro: 31%
 % Urban/Suburban to Non-Metro: 8%

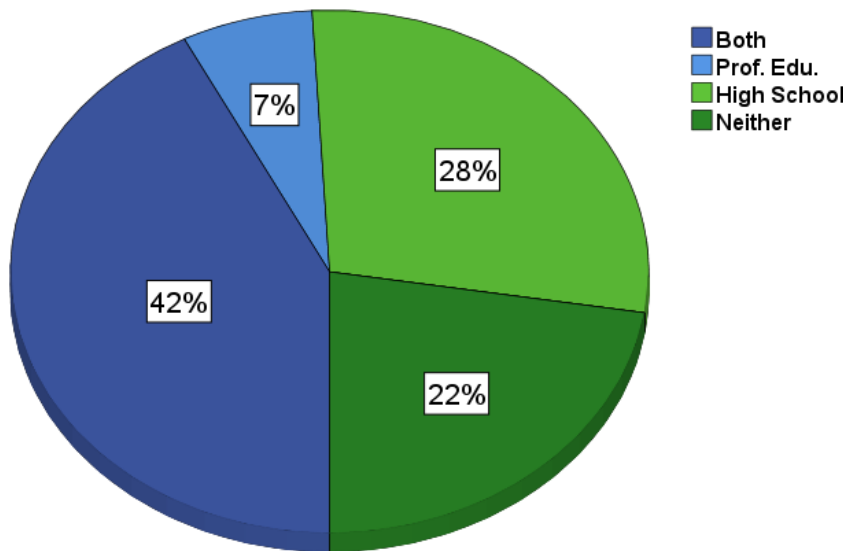
Source: Va. Healthcare Workforce Data Center

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+	33%	48%	19%
2	Metro, 250,000 to 1 Million	63%	23%	14%
3	Metro, 250,000 or Less	65%	26%	9%
Non-Metro Counties				
4	Urban, Pop. 20,000+, Metro Adjacent	50%	29%	21%
6	Urban, Pop. 2,500-19,999, Metro Adjacent	95%	3%	3%
7	Urban, Pop. 2,500-19,999, Non-Adjacent	85%	13%	3%
8	Rural, Metro Adjacent	76%	19%	5%
9	Rural, Non-Adjacent	87%	0%	13%
Overall		49%	36%	15%

Source: Va. Healthcare Workforce Data Center

Educational Background in Virginia



Source: Va. Healthcare Workforce Data Center

Nearly half of all FSPs grew up in a rural area, and 31% of this group of professionals currently work in a non-metro area of Virginia. In total, 20% of all FSPs currently work in a non-metro area of the state.

Top Ten States for Funeral Service Provider Recruitment

Rank	All Funeral Service Providers			
	High School	#	Professional School	#
1	Virginia	587	Virginia	392
2	Pennsylvania	33	Georgia	104
3	New York	29	Pennsylvania	69
4	Maryland	22	Ohio	60
5	North Carolina	21	New York	28
6	West Virginia	18	Maryland	22
7	Ohio	11	Texas	17
8	Illinois	11	Indiana	16
9	Florida	10	North Carolina	15
10	Tennessee	9	Washington, D.C.	14

Source: Va. Healthcare Workforce Data Center

Among all FSPs, 72% received their high school degree in Virginia, and 49% also received their initial professional degree in the state.

Among FSPs who obtained their initial license in the past five years, 63% received their high school degree in Virginia, and 55% received their initial professional degree in the state.

Rank	Licensed in the Past Five Years			
	High School	#	Professional School	#
1	Virginia	100	Virginia	87
2	Pennsylvania	10	Pennsylvania	23
3	New York	8	Texas	9
4	Maryland	7	Georgia	6
5	North Carolina	4	Washington, D.C.	5
6	California	3	Illinois	4
7	Texas	3	Tennessee	4
8	Illinois	3	New York	4
9	West Virginia	3	North Carolina	4
10	Georgia	2	Ohio	3

Source: Va. Healthcare Workforce Data Center

Nearly one-fifth 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 69% who currently work as a FSP.

At a Glance:

Not in VA Workforce

Total:	287
% of Licensees:	18%
Federal/Military:	4%
VA Border State/DC:	37%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Highest Professional Degree		
Degree	#	%
High School/GED	38	5%
Associate Degree	587	74%
Baccalaureate Degree	141	18%
Master's Degree	26	3%
Doctorate	2	0%
Total	794	100%

Source: Va. Healthcare Workforce Data Center

More than one-fifth of all FSPs carry education debt, including 40% of those FSPs who are under the age of 40. For those FSPs with education debt, the median debt amount is between \$20,000 and \$30,000.

At a Glance:

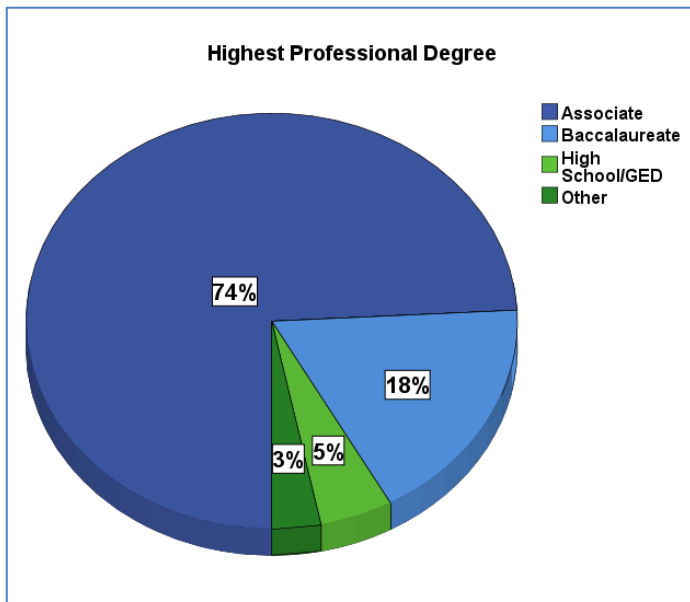
Education

Associate:	74%
Baccalaureate:	18%
High School/GED:	5%

Education Debt

Carry Debt:	22%
Under Age 40 w/ Debt:	40%
Median Debt:	\$20k-\$30k

Source: Va. Healthcare Workforce Data Center



Source: Va. Healthcare Workforce Data Center

Education Debt				
Amount Carried	All FSPs		FSPs Under 40	
	#	%	#	%
None	498	78%	78	60%
Less than \$10,000	37	6%	15	12%
\$10,000-\$19,999	20	3%	8	6%
\$20,000-\$29,999	16	3%	9	7%
\$30,000-\$39,999	19	3%	5	4%
\$40,000-\$49,999	8	1%	4	3%
\$50,000-\$59,999	7	1%	4	3%
\$60,000-\$69,999	3	0%	1	1%
\$70,000-\$79,999	8	1%	1	1%
\$80,000-\$89,999	4	1%	0	0%
\$90,000-\$99,999	4	1%	0	0%
\$100,000 or More	11	2%	5	4%
Total	635	100%	130	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Employment

Employed in Profession: 89%
 Involuntarily Unemployed: < 1%

Positions Held

1 Full-Time: 72%
 2 or More Positions: 12%

Weekly Hours:

40 to 49: 52%
 60 or More: 16%
 Less than 30: 8%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Current Work Status		
Status	#	%
Employed, Capacity Unknown	0	0%
Employed in a FSP-Related Capacity	726	89%
Employed, NOT in a FSP-Related Capacity	52	6%
Not Working, Reason Unknown	0	0%
Involuntarily Unemployed	3	< 1%
Voluntarily Unemployed	15	2%
Retired	22	3%
Total	818	100%

Source: Va. Healthcare Workforce Data Center

Among all FSPs, 89% are currently employed in the profession, 72% hold one full-time job, and 52% work between 40 and 49 hours per week.

Current Positions		
Positions	#	%
No Positions	40	5%
One Part-Time Position	82	10%
Two Part-Time Positions	19	2%
One Full-Time Position	572	72%
One Full-Time Position & One Part-Time Position	34	4%
Two Full-Time Positions	17	2%
More than Two Positions	27	3%
Total	791	100%

Source: Va. Healthcare Workforce Data Center

Current Weekly Hours		
Hours	#	%
0 Hours	40	5%
1 to 9 Hours	24	3%
10 to 19 Hours	26	3%
20 to 29 Hours	14	2%
30 to 39 Hours	34	4%
40 to 49 Hours	402	52%
50 to 59 Hours	107	14%
60 to 69 Hours	78	10%
70 to 79 Hours	12	2%
80 or More Hours	30	4%
Total	767	100%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Annual Income		
Income Level	#	%
Volunteer Work Only	15	3%
Less than \$30,000	60	11%
\$30,000-\$39,999	28	5%
\$40,000-\$49,999	52	10%
\$50,000-\$59,999	77	14%
\$60,000-\$69,999	70	13%
\$70,000-\$79,999	62	12%
\$80,000-\$89,999	45	8%
\$90,000-\$99,999	20	4%
\$100,000-\$109,999	32	6%
\$110,000-\$119,999	10	2%
\$120,000 or More	66	12%
Total	538	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

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

Benefits
Health Insurance: 56%
Retirement: 46%

Satisfaction
Satisfied: 96%
Very Satisfied: 80%

Source: Va. Healthcare Workforce Data Center

Job Satisfaction		
Level	#	%
Very Satisfied	622	80%
Somewhat Satisfied	132	17%
Somewhat Dissatisfied	17	2%
Very Dissatisfied	11	1%
Total	782	100%

Source: Va. Healthcare Workforce Data Center

The typical FSP earns between \$60,000 and \$70,000 per year. In addition, 72% of all wage and salaried 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	473	65%	68%
Paid Sick Leave	400	55%	58%
Health Insurance	394	54%	56%
Dental Insurance	312	43%	46%
Retirement	312	43%	46%
Group Life Insurance	241	33%	38%
Signing/Retention Bonus	55	8%	7%
At Least One Benefit	507	70%	72%

*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 . . . ?	#	%
Experience Involuntary Unemployment?	8	1%
Experience Voluntary Unemployment?	40	3%
Work Part-Time or Temporary Positions, but Would Have Preferred a Full-Time/Permanent Position?	15	1%
Work Two or More Positions at the Same Time?	128	10%
Switch Employers or Practices?	38	3%
Experience at Least One?	214	16%

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 3.5% during the same time period.¹

Location Tenure				
Tenure	Primary		Secondary	
	#	%	#	%
Not Currently Working at This Location	27	4%	30	16%
Less than 6 Months	31	4%	7	4%
6 Months to 1 Year	40	5%	8	4%
1 to 2 Years	74	10%	19	10%
3 to 5 Years	141	18%	28	15%
6 to 10 Years	124	16%	34	19%
More than 10 Years	330	43%	56	31%
Subtotal	767	100%	182	100%
Did Not Have Location	26		1,092	
Item Missing	503		22	
Total	1,297		1,297	

Source: Va. Healthcare Workforce Data Center

More than 60% of FSPs are salaried employees at their primary work location, while 25% receive an hourly wage.

At a Glance:

Unemployment Experience

Involuntarily Unemployed: 1%
Underemployed: 1%

Turnover & Tenure

Switched Jobs: 3%
New Location: 11%
Over 2 Years: 78%
Over 2 Yrs., 2nd Location: 65%

Employment Type

Salary/Commission: 62%
Hourly Wage: 25%

Source: Va. Healthcare Workforce Data Center

Nearly four out of every five FSPs have worked at their primary work location for more than two years.

Employment Type		
Primary Work Site	#	%
Salary/Commission	315	62%
Hourly Wage	127	25%
By Contract	18	4%
Business/Practice Income	38	7%
Unpaid	10	2%
Subtotal	507	100%
Did Not Have Location	26	
Item Missing	763	

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 2.7% and a high of 4.5%. At the time of publication, the unemployment rate from March 2022 was still preliminary.

At a Glance:

Concentration

Top Region:	23%
Top 3 Regions:	60%
Lowest Region:	3%

Locations

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

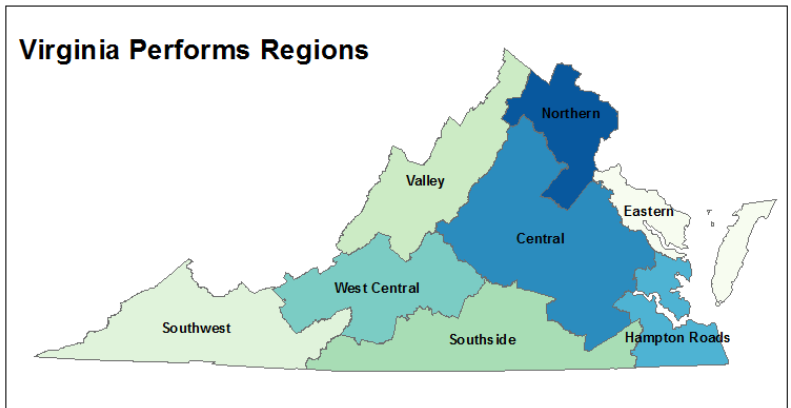
Source: Va. Healthcare Workforce Data Center

Three out of every five FSPs work in Central Virginia, Hampton Roads, and Northern Virginia.

A Closer Look:

Regional Distribution of Work Locations				
Virginia Performs Region	Primary Location		Secondary Location	
	#	%	#	%
Central	175	23%	38	19%
Eastern	26	3%	17	9%
Hampton Roads	142	19%	35	18%
Northern	142	19%	21	11%
Southside	63	8%	17	9%
Southwest	69	9%	18	9%
Valley	43	6%	10	5%
West Central	97	13%	22	11%
Virginia Border State/D.C.	3	0%	8	4%
Other U.S. State	6	1%	10	5%
Outside of the U.S.	0	0%	0	0%
Total	766	100%	196	100%
Item Missing	505		10	

Source: Va. Healthcare Workforce Data Center



Source: Va. Healthcare Workforce Data Center

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

Number of Work Locations				
Locations	Work Locations in Past Year		Work Locations Now*	
	#	%	#	%
0	14	2%	37	5%
1	560	72%	583	75%
2	120	15%	90	12%
3	59	8%	46	6%
4	7	1%	5	1%
5	9	1%	9	1%
6 or More	9	1%	8	1%
Total	777	100%	777	100%

*At the time of survey completion, March 2022.

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Sector	Location Sector			
	Primary Location		Secondary Location	
	#	%	#	%
For-Profit	687	96%	148	93%
Non-Profit	10	1%	4	3%
State/Local Government	13	2%	7	4%
Veterans Administration	1	0%	0	0%
U.S. Military	0	0%	0	0%
Other Federal Government	4	1%	1	1%
Total	715	100%	160	100%
Did Not Have Location	26		1,092	
Item Missing	556		45	

Source: Va. Healthcare Workforce Data Center

At a Glance: (Primary Locations)

Sector

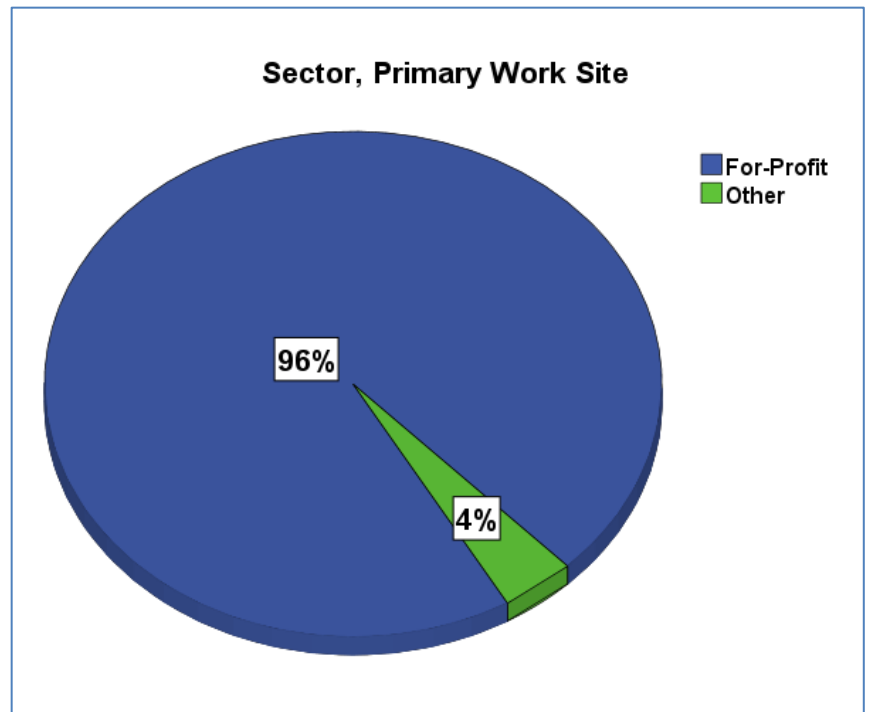
For-Profit:	96%
Federal:	1%

Top Establishments

Funeral-Only Establishment:	56%
Funeral Establishment w/ Crematory:	36%

Source: Va. Healthcare Workforce Data Center

Nearly all FSPs work in the private sector, including 96% who work in the for-profit sector.

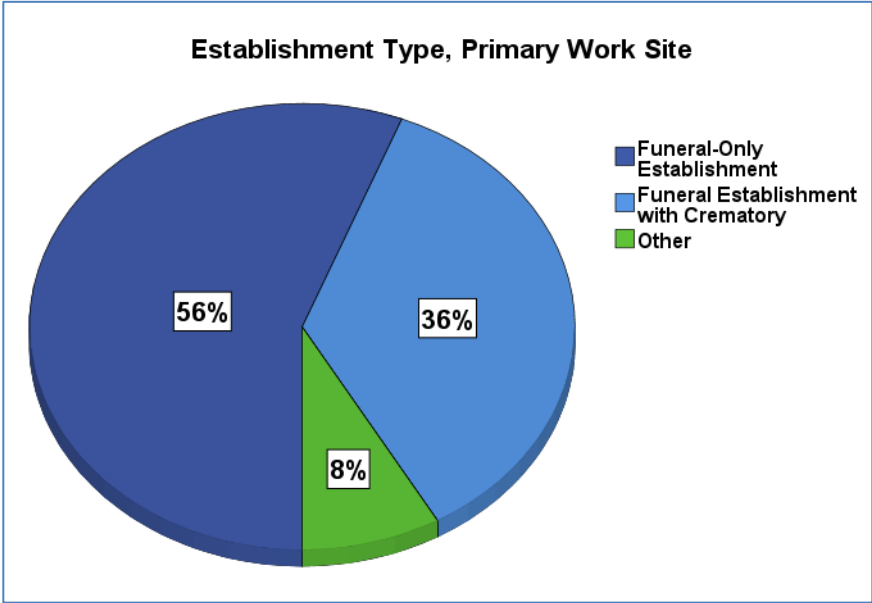


Location Type				
Establishment Type	Primary Location		Secondary Location	
	#	%	#	%
Funeral Establishment	391	56%	98	64%
Funeral Establishment Combined with Crematory	250	36%	32	21%
Funeral Establishment Combined with Surface Transport and Removal	8	1%	5	3%
Crematory (Only)	5	1%	0	0%
Academic Institution	4	1%	6	4%
Surface Transport and Removal (Only)	3	0%	1	1%
Other Practice Setting	39	6%	10	7%
Total	700	100%	152	100%
Did Not Have a Location	26		1,092	

Source: Va. Healthcare Workforce Data Center

Nearly three out of every five FSPs work at a funeral-only establishment as their primary work location. Another 36% work at an establishment that combines funeral and crematory services.

Among those FSPs who also have a secondary work location, 64% work at a funeral-only establishment, while another 21% work at an establishment that combines funeral and crematory services.



Source: Va. Healthcare Workforce Data Center

At a Glance: (Primary Locations)

Languages Offered

Spanish:	11%
Tagalog/Filipino:	1%
Arabic:	1%

Means of Communication

Other Staff Members:	58%
Onsite Translation:	16%
Respondent:	14%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Languages Offered		
Language	#	% of Workforce
Spanish	140	11%
Tagalog/Filipino	12	1%
Arabic	8	1%
Chinese	8	1%
Vietnamese	8	1%
Hindi	7	1%
Amharic, Somali, or Other Afro-Asiatic Languages	6	0%
French	6	0%
Korean	6	0%
Pashto	5	0%
Persian	5	0%
Urdu	5	0%
Others	11	1%
At Least One Language	146	11%

Source: Va. Healthcare Workforce Data Center

More than one out of every ten FSPs are employed at a primary work location that offers Spanish language services for clients.

Means of Language Communication

Provision	#	% of Workforce with Language Services
Other Staff Member is Proficient	85	58%
Onsite Translation Service	23	16%
Respondent is Proficient	21	14%
Virtual Translation Services	17	12%
Other	14	10%

Source: Va. Healthcare Workforce Data Center

Nearly three out of every five FSPs who are employed at a primary work location that offers language services for clients provide it by means of a staff member who is proficient.

At a Glance: (Primary Locations)

Typical Time Allocation

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

Roles

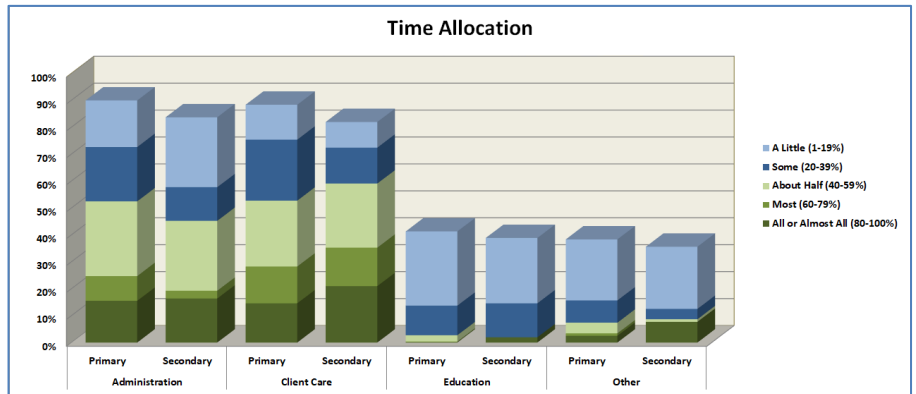
Client Care: 28%
Administration: 25%
Other: 3%

Client Care FSPs

Median Admin. Time: 10%-19%
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 fact, 53% of FSPs fill either a client care role or an administrative role, defined as spending 60% or more of their time in one of those activities.

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%)	15%	16%	15%	21%	0%	2%	3%	8%
Most (60-79%)	9%	3%	14%	14%	0%	0%	1%	0%
About Half (40-59%)	28%	26%	25%	24%	2%	0%	4%	1%
Some (20-39%)	20%	13%	23%	13%	11%	13%	8%	4%
A Little (1-19%)	17%	26%	13%	10%	28%	24%	23%	23%
None (0%)	10%	16%	12%	18%	59%	61%	62%	64%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Retirement Expectations				
Expected Retirement Age	All FSPs		FSPs 50 and Over	
	#	%	#	%
Under Age 50	20	3%	-	-
50 to 54	14	2%	1	0%
55 to 59	26	4%	7	2%
60 to 64	90	15%	37	11%
65 to 69	166	27%	92	27%
70 to 74	94	16%	74	21%
75 to 79	28	5%	24	7%
80 or Over	23	4%	18	5%
I Do Not Intend to Retire	144	24%	94	27%
Total	605	100%	347	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Retirement Expectations

All FSPs

Under 65: 25%
Under 60: 10%

FSPs 50 and Over

Under 65: 13%
Under 60: 2%

Time Until Retirement

Within 2 Years: 9%
Within 10 Years: 27%
Half the Workforce: By 2047

Source: Va. Healthcare Workforce Data Center

One-quarter of all FSPs expect to retire before the age of 65. Among FSPs who are age 50 and over, 13% expect to retire by the age of 65.

Within the next two years, 5% of FSPs expect to increase practice hours, and 4% also expect to pursue additional educational opportunities.

Future Plans

Two-Year Plans:	#	%
Decrease Participation		
Leave Profession	24	2%
Leave Virginia	22	2%
Decrease Practice Hours	95	7%
Decrease Teaching Hours	4	0%
Increase Participation		
Increase Practice Hours	66	5%
Increase Teaching Hours	30	2%
Pursue Additional Education	51	4%
Return to the Workforce	6	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, 27% expect to retire within the next decade. More than half of the current FSP workforce expect to retire by 2047.

Time to Retirement			
Expect to Retire Within. . .	#	%	Cumulative %
2 Years	52	9%	9%
5 Years	27	4%	13%
10 Years	85	14%	27%
15 Years	61	10%	37%
20 Years	53	9%	46%
25 Years	52	9%	55%
30 Years	47	8%	62%
35 Years	34	6%	68%
40 Years	28	5%	73%
45 Years	17	3%	75%
50 Years	0	0%	75%
55 Years	0	0%	75%
In More than 55 Years	4	1%	76%
Do Not Intend to Retire	144	24%	100%
Total	605	100%	

Source: Va. Healthcare Workforce Data Center



Using these estimates, retirement will begin to reach over 10% of the current workforce every five years by 2032. Retirement will peak at 14% of the current workforce around the same time before declining to under 10% again around 2042.

Source: Va. Healthcare Workforce Data Center

At a Glance:

FTEs

Total: 1,298
 FTEs/1,000 Residents²: 0.150
 Average: 1.02

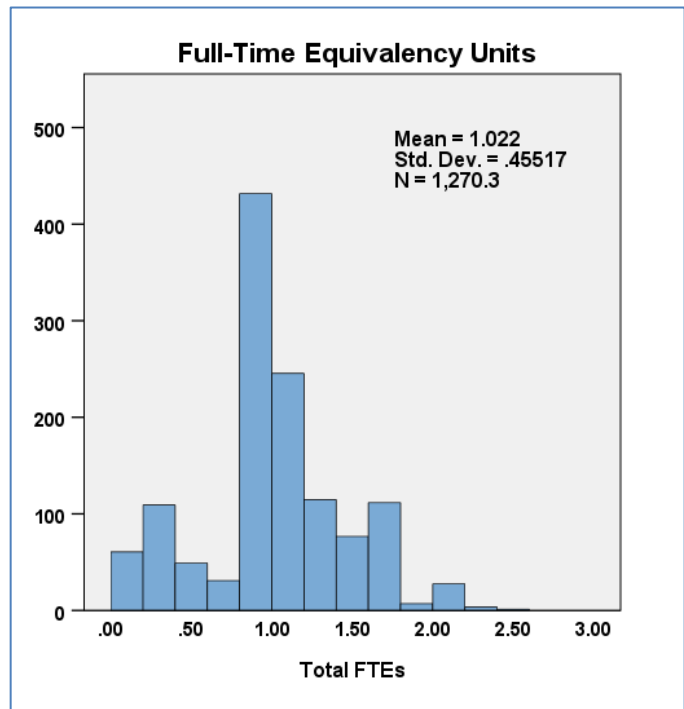
Age & Gender Effect

Age, *Partial Eta*²: Small
 Gender, *Partial Eta*²: Negligible

*Partial Eta*² Explained:
*Partial Eta*² is a statistical
 measure of effect size.

Source: Va. Healthcare Workforce Data Center

A Closer Look:

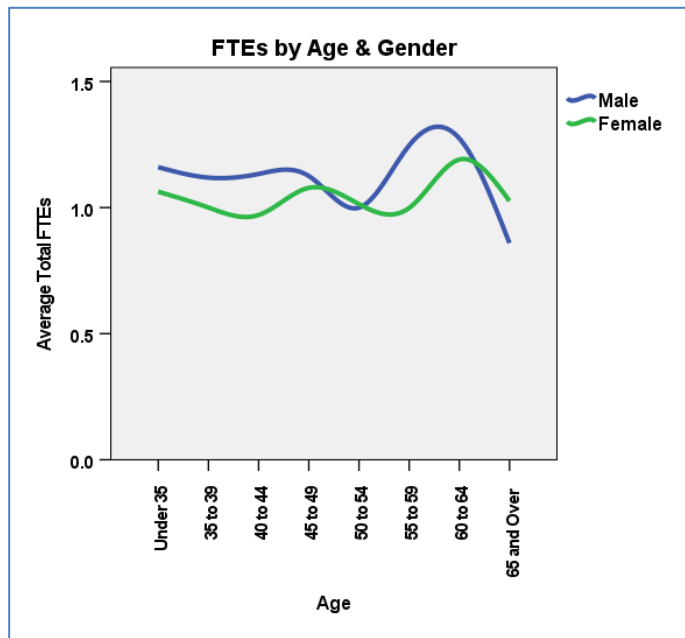


Source: Va. Healthcare Workforce Data Center

The typical FSP provided 0.96 FTEs during the past year, or approximately 38 hours per week for 50 weeks. Although FTEs appear to vary by age, statistical tests did not verify that a difference exists.³

Full-Time Equivalency Units		
Age	Average	Median
Age		
Under 35	1.05	0.96
35 to 39	1.03	0.96
40 to 44	1.04	0.96
45 to 49	1.04	0.96
50 to 54	0.69	0.30
55 to 59	1.38	1.48
60 to 64	1.15	0.99
65 and Over	0.93	0.96
Gender		
Male	1.07	1.09
Female	1.04	1.08

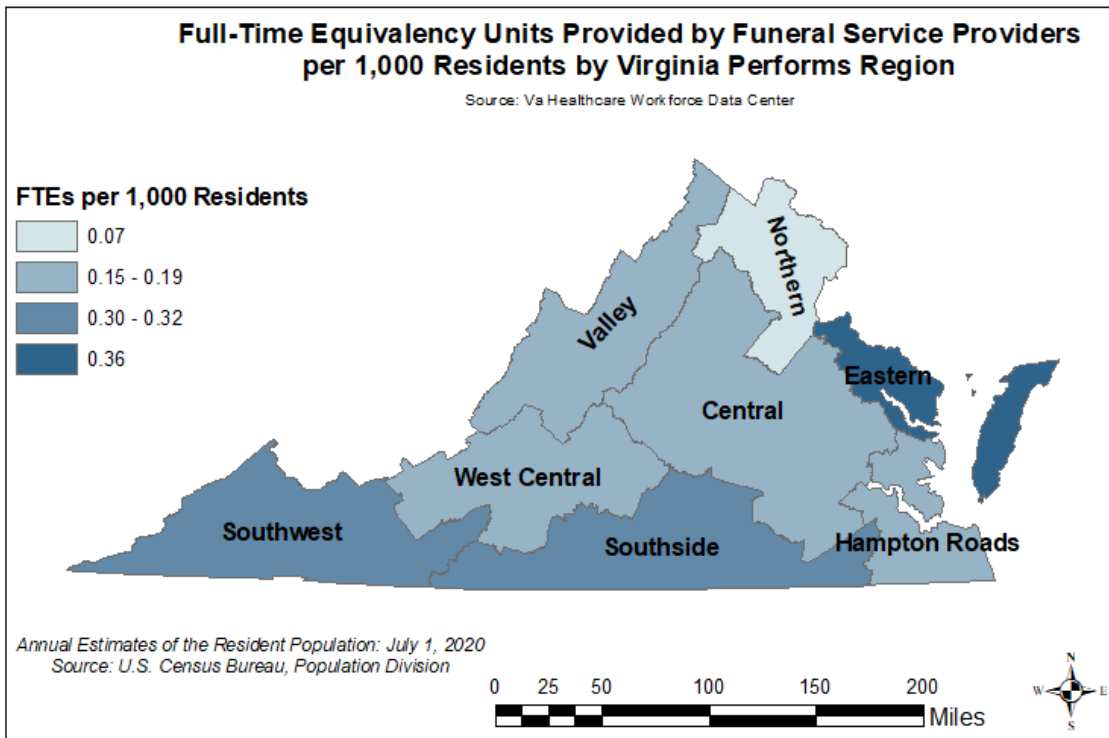
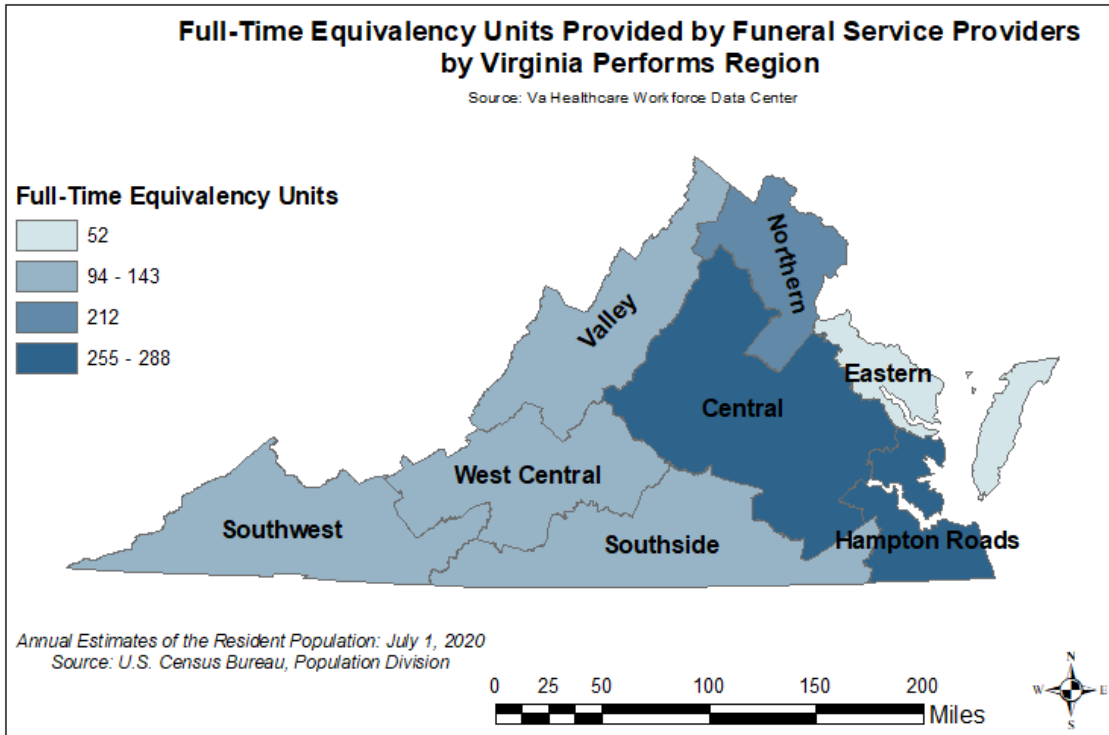
Source: Va. Healthcare Workforce Data Center

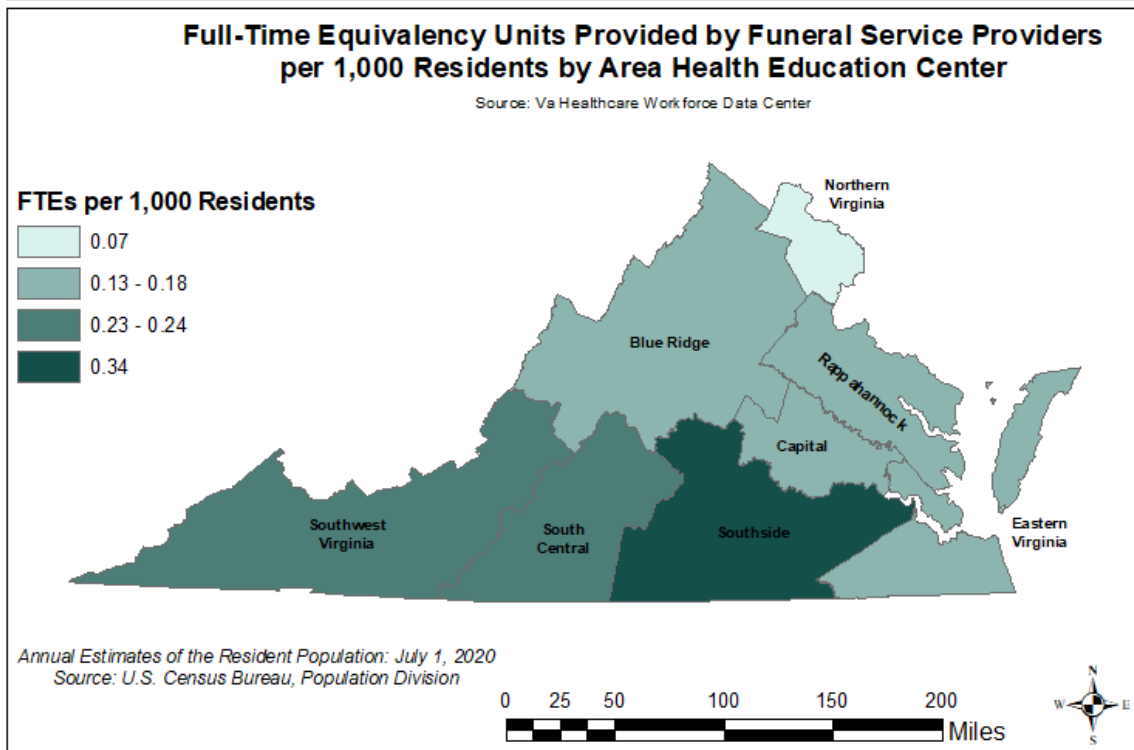
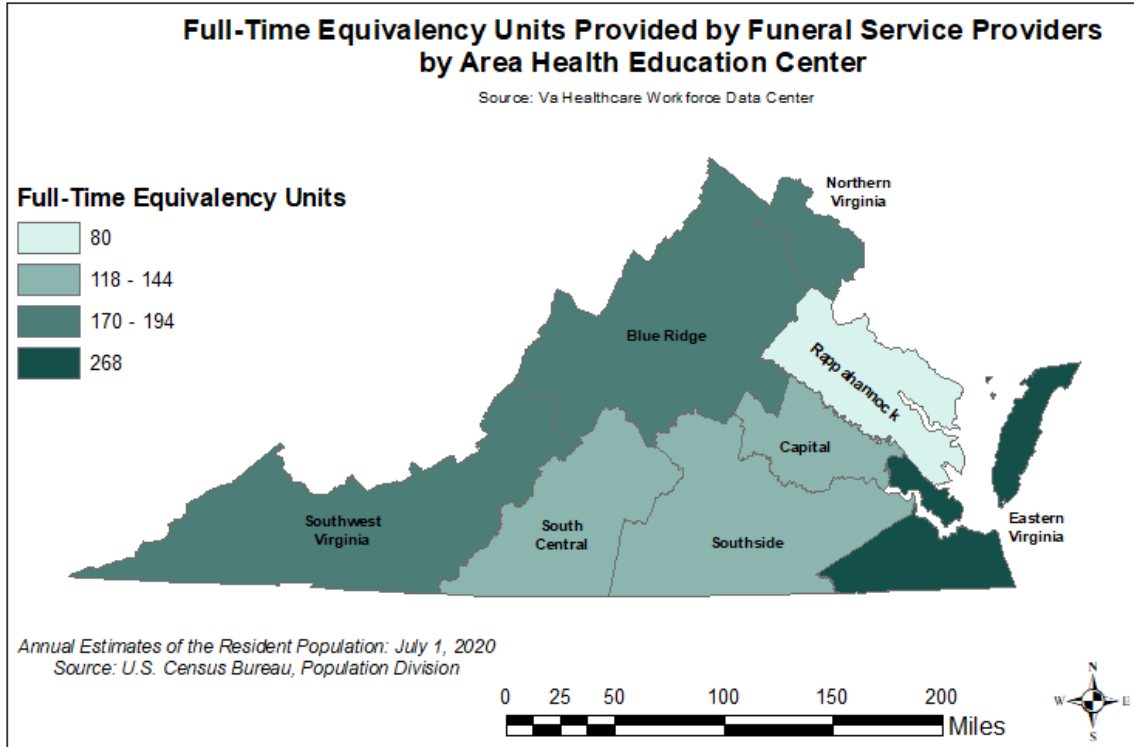


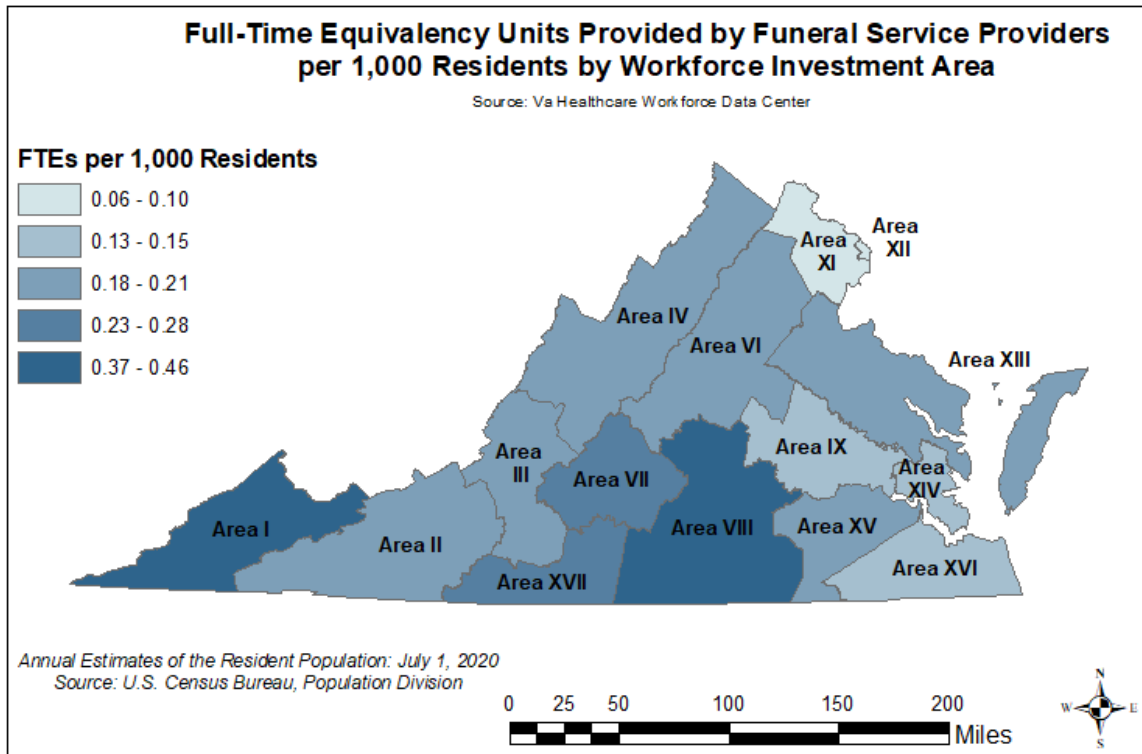
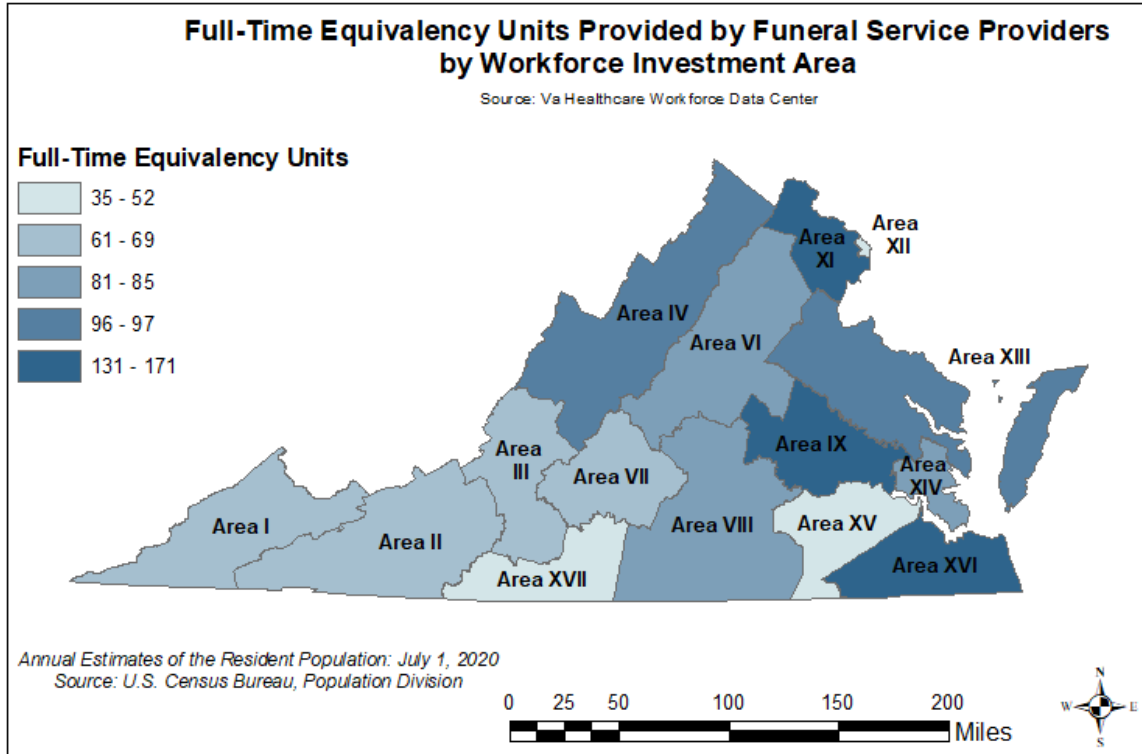
Source: Va. Healthcare Workforce Data Center

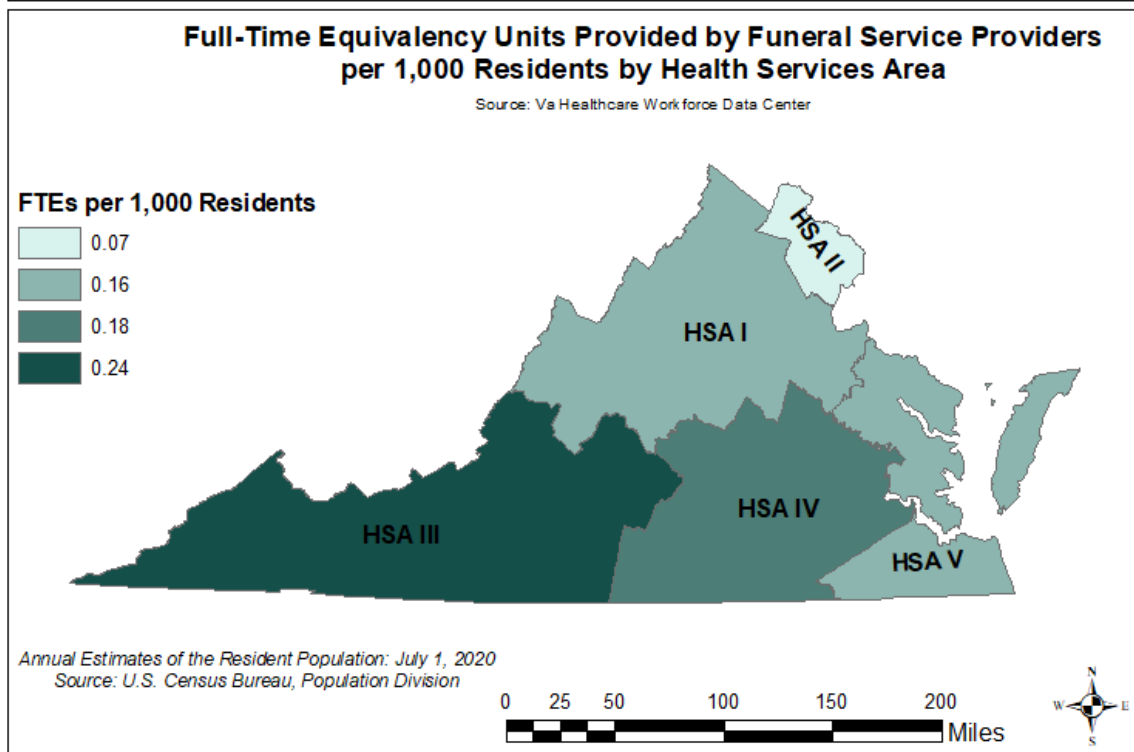
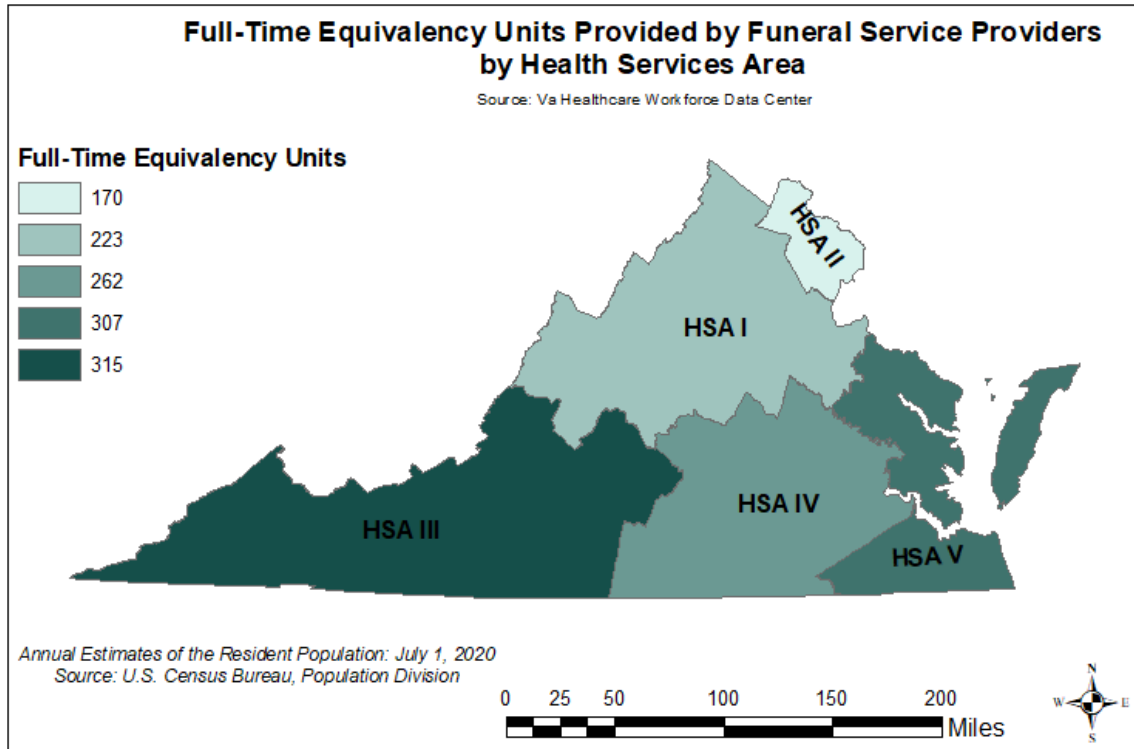
² Number of residents in 2020 was used as the denominator.

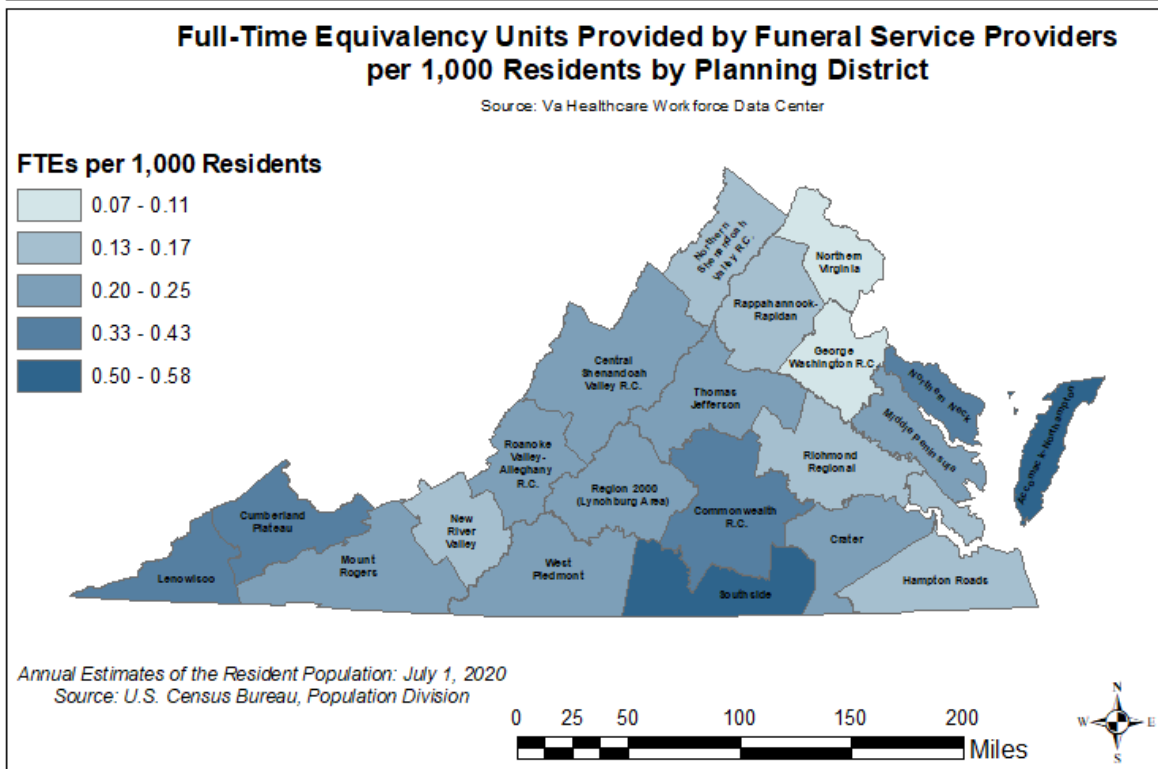
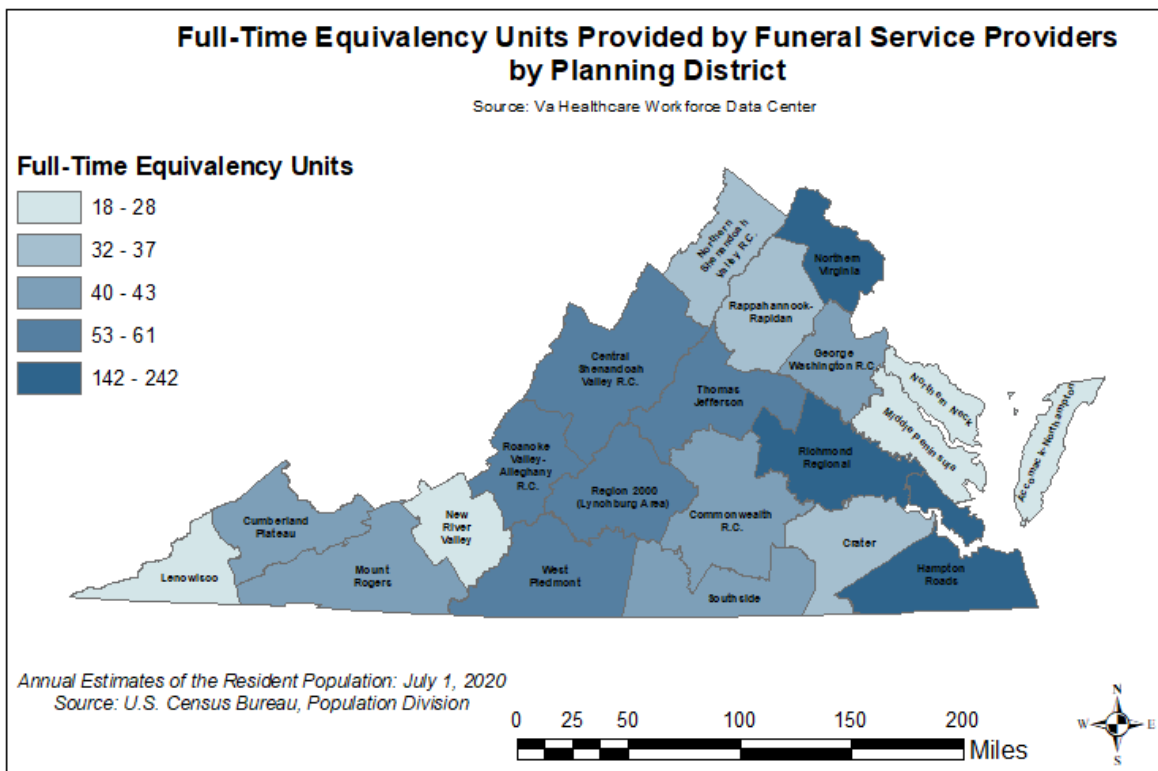
³ Due to assumption violations in Mixed between-within ANOVA (Levene's Test was significant).











Appendices

Appendix A: Weights

Rural Status	Location Weight			Total Weight	
	#	Rate	Weight	Min.	Max.
Metro, 1 Million+	708	75.56%	1.323	1.232	1.532
Metro, 250,000 to 1 Million	139	87.77%	1.139	1.061	1.319
Metro, 250,000 or Less	136	81.62%	1.225	1.141	1.418
Urban, Pop. 20,000+, Metro Adj.	52	71.15%	1.405	1.308	1.627
Urban, Pop. 20,000+, Non-Adj.	0	NA	NA	NA	NA
Urban, Pop. 2,500-19,999, Metro Adj.	100	79.00%	1.266	1.178	1.465
Urban Pop., 2,500-19,999, Non-Adj.	85	85.88%	1.164	1.084	1.348
Rural, Metro Adj.	55	80.00%	1.250	1.164	1.291
Rural, Non-Adj.	35	82.86%	1.207	1.124	1.397
Virginia Border State/D.C.	211	84.36%	1.185	1.104	1.372
Other U.S. State	62	85.48%	1.170	1.089	1.354

Source: Va. Healthcare Workforce Data Center

Age	Age Weight			Total Weight	
	#	Rate	Weight	Min.	Max.
Under 35	170	68.82%	1.453	1.319	1.627
35 to 39	126	80.95%	1.235	1.121	1.383
40 to 44	143	81.82%	1.222	1.109	1.368
45 to 49	158	82.91%	1.206	1.095	1.271
50 to 54	194	85.57%	1.169	1.061	1.308
55 to 59	190	83.68%	1.195	1.085	1.338
60 to 64	178	79.78%	1.254	1.138	1.403
65 and Over	424	77.12%	1.297	1.177	1.452

Source: Va. Healthcare Workforce Data Center

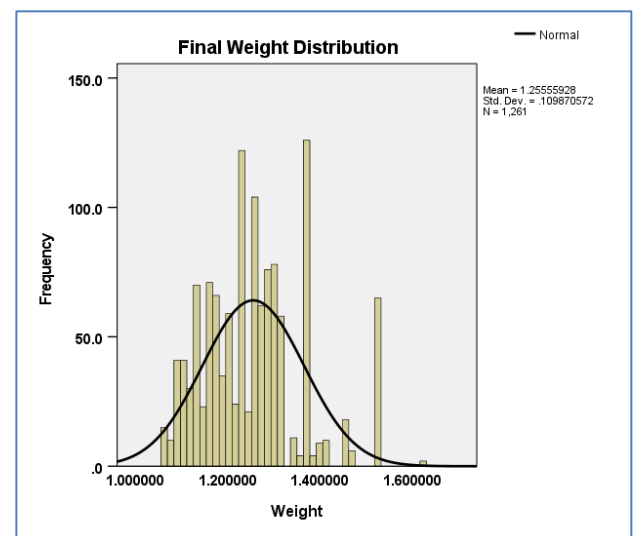
See the Methodology section on the HWDC website for details on HWDC methods:

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

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

Age Weight x Rural Weight x Response Rate
= Final Weight.

Overall Response Rate: 0.796589



Source: Va. Healthcare Workforce Data Center

Staff Reports

**DHP
Board Cash Balance Report**

	104 - Funeral Directors and Embalmers
Cash Balance as of June 30, 2021	\$ 848,630
YTD FY 2022 Revenue	307,675
Less: YTD FY 2022 Direct and Allocated Expenditures	<u>463,227</u>
Cash Balance as of February 28, 2022	<u><u>\$ 693,078</u></u>

Legislative and Regulatory Report

Board of Funeral Directors and Embalmers
Current Regulatory Actions

Chapter	Action	Stage	Duration
Regulations of the Board of Funeral Directors and Embalmers 18VAC65-20; 18VAC65-30; and 18VAC65-40	Separate licenses for funeral directors and embalmers	Final – at Governor’s office	12 days
Regulations for Preneed Funeral Planning 18VAC65-30-20	Change related to face value adjustments to certain financial vehicles used to certain preneed funeral arrangements	Exempt Final – effective date August 3, 2022	

Board Discussion and Actions

Agenda Item: Adoption of exempt action related to preneed funeral planning CE

Included in your agenda package are:

Chapter 170 of the 2022 Acts of Assembly

Draft of exempt regulations

Board Action:

- Vote on adoption of exempt changes to 18VAC65-20-151

VIRGINIA ACTS OF ASSEMBLY -- 2022 SESSION

CHAPTER 170

An Act to amend and reenact § 54.1-2816.1 of the Code of Virginia, relating to continuing education requirements for funeral service licensees, funeral directors, and embalmers.

[H 99]

Approved April 7, 2022

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2816.1 of the Code of Virginia is amended and reenacted as follows:

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

A. The Board shall promulgate regulations governing continuing education requirements for funeral services licensees, funeral directors, and embalmers licensed by the Board.

B. The Board shall approve criteria for continuing education courses, requiring no more than five hours per year, that are directly related to the respective license and scope of practice of funeral service licensees, funeral directors, and embalmers. Approved continuing education courses shall include, ~~but not be limited to,~~ at least one hour per year covering compliance with federal or state laws and regulations governing the profession; ~~and at least~~ or one hour per year covering preneed funeral arrangements, *provided that at least one hour of continuing education in preneed is completed every three years.* Course providers may be required to register continuing education courses with the Board pursuant to Board regulations. The Board shall not allow continuing education credit for courses where the principal purpose of the course is to promote, sell, or offer goods, products, or services to funeral homes.

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

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

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

Project 7142 - Exempt Final

Board of Funeral Directors And Embalmers

Implementation of continuing education changes from 2022 Session

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 ~~or, and at least one hour per year shall cover~~ preneed funeral arrangements. At least one hour of continuing education in preneed funeral arrangements must be completed every three years. 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.

Agenda Item: Adoption of fast-track action related to retention of CE documents

Included in your agenda package are:

Chapter 170 of the 2022 Acts of Assembly

Draft of amended regulations

Board Action:

- Vote on adoption of exempt changes to 18VAC65-20-151

VIRGINIA ACTS OF ASSEMBLY -- 2022 SESSION

CHAPTER 170

An Act to amend and reenact § 54.1-2816.1 of the Code of Virginia, relating to continuing education requirements for funeral service licensees, funeral directors, and embalmers.

[H 99]

Approved April 7, 2022

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2816.1 of the Code of Virginia is amended and reenacted as follows:

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

A. The Board shall promulgate regulations governing continuing education requirements for funeral services licensees, funeral directors, and embalmers licensed by the Board.

B. The Board shall approve criteria for continuing education courses, requiring no more than five hours per year, that are directly related to the respective license and scope of practice of funeral service licensees, funeral directors, and embalmers. Approved continuing education courses shall include, ~~but not be limited to,~~ at least one hour per year covering compliance with federal or state laws and regulations governing the profession; ~~and at least~~ or one hour per year covering preneed funeral arrangements, *provided that at least one hour of continuing education in preneed is completed every three years.* Course providers may be required to register continuing education courses with the Board pursuant to Board regulations. The Board shall not allow continuing education credit for courses where the principal purpose of the course is to promote, sell, or offer goods, products, or services to funeral homes.

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

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

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

Project 7305 - Fast-Track

Board of Funeral Directors And Embalmers

Adjustment of requirements related to documentation of continuing education requirements pursuant to 2022 legislation

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~~ three 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.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Guidance for Granting Internship Extensions

In accordance with 18VAC65-40-130, the board, ~~for good cause shown~~, may grant an extension of time for completion of an internship only for extenuating circumstances.

The board policy on granting an extension is as follows:

- The intern has to provide the board with a letter explaining the extenuating circumstances that have prevented the completion of the program within the specified time. The letter should include the length of time the intern is requesting for the extension. Additionally, the board will require a copy of the intern's current college transcript to review the courses already completed toward the mortuary educational requirement.
- The Board will grant no more than two one-year extensions to an intern.