

July 18, 2017
Board Room #4
9:30 a.m.

Agenda

Virginia Board of Funeral Directors & Embalmers Full Board Meeting

Call to Order – Louis R. Jones, FSL, Board President

- Welcome and Introductions
 - Emergency Egress Procedures
-

Approval of Minutes

- Board Meeting – April 18, 2017
-

Pages 1-10

Ordering of Agenda

Public Comment

Agency Director’s Report - David E. Brown, DC

Reports

- Executive Director’s Report – Corie E. Tillman Wolf
 - Discipline Report – Lynne Helmick
 - Board of Health Professions Report – Junius H. Williams, Jr.
 - Workforce Data Center Report – Elizabeth Carter, Ph.D.
-

Pages 11-50

Legislation and Regulatory Actions – Elaine Yeatts

- Consideration of public comment – NOIRA – Refrigeration and Permission to Embalm
 - Adoption of Proposed Regulations on Refrigeration and Permission to Embalm
-

Pages 51-61

Committee Report

- Ad Hoc Committee on Funeral Internships – Blair Nelsen, FSL
-

Old Business

- Discussion regarding Courtesy Cards – Blair Nelsen, FSL
-

Pages 62-66

Board Member Training – Erin L. Barrett

Next Meeting – October 10, 2017

Meeting Adjournment

This information is in **DRAFT** form and is subject to change. The official agenda and packet will be approved by the public body at the meeting and will be available to the public pursuant to Virginia Code Section 2.2-3708(D).

Meeting Minutes

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

The Virginia Board of Funeral Directors and Embalmers convened for a full board meeting on Tuesday, April 18, 2017, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 2, Henrico, Virginia.

BOARD MEMBERS PRESENT

Louis R. Jones, FSL, President
Larry T. Omps, FSL, Vice-President
Connie B. Steele, FSL
Thomas Slusser, Jr., FSL
Blair Nelsen, FSL Mia
F. Mimms, FSL
Junius H. Williams, Jr., Citizen Member

BOARD MEMBER ABSENT

Ibrahim A. Moiz, Esq., Citizen Member
Frank Walton, FSL

DHP STAFF PRESENT

Corie Tillman Wolf, Executive Director
Lynne Helmick, Deputy Executive Director, Discipline
Lisa R. Hahn, Chief Deputy
Elaine Yeatts, Senior Policy Analyst
Heather Wright, Program Manager

BOARD COUNSEL

Erin Barrett, Assistant Attorney General

QUORUM

With 7 members present a quorum was established.

GUESTS PRESENT

Paul Harris, Regulatory Support Services, Inc.
Barry D. Robinson, VMA
Lacy Whittaker, VFDA

CALL TO ORDER

Louis R. Jones, FSL, President, called the meeting of the Virginia Board of Funeral Directors and Embalmers to order at 10:00 a.m.

Louis R. Jones, FSL, President stated the following before the first order of business:

- 1) Laptops were provided to the board members for the purpose of the meeting only and have no connection to the internet. The material that they are able to review on the computer is the same material that has been made available to the public.
- 2) Please be sure to speak directly into the microphone so that everyone can hear you.

Ms. Tillman Wolf then read the Emergency Egress Procedures.

ACCEPTANCE OF MINUTES

Upon a motion by Junius Williams, and properly seconded by Larry Omms, the board voted to accept the Board Meeting minutes from January 10, 2017.

Upon a motion by Junius Williams, and properly seconded by Tommy Slusser, the board voted to accept the Formal Hearing minutes from February 10, 2017. The motions passed unanimously.

ORDERING OF AGENDA

Ms. Tillman Wolf advised that Lisa Hahn would be arriving later in the meeting to provide the Agency Director's Report.

Upon a motion by Connie Steele, and duly seconded by Larry Omms, the Board voted to add Courtesy Cards to the agenda as presented. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT- Corie Tillman Wolf, JD

Ms. Tillman Wolf gave the Executive Director's Report.

Expenditure and Revenue Summary as of February 28, 2017

• Cash Balance as of June 30, 2016	\$ 242,995
• YTD FY17 Revenue	300,030
• Less direct & In-Direct expenditure	<u>388,151</u>
• Cash Balance on February 28, 2017	\$ 154,874

Electronic Death Reporting System

Ms. Tillman Wolf reported that 59% of Virginia Funeral Service Licensees are currently signed up for the Electronic Death Reporting System (EDRS). Ms. Tillman Wolf provided an update on HHB2276/SB1048 which clarifies the process for amendments to death certificates through the registrar or by court order. HB 1846 permits the filing of non-electronic death certificates in any local health district.

Annual Meeting – International Conference of Funeral Service Examining Boards (“The Conference”)

The Annual Meeting of the Conference took place in Hilton Head, SC on March 1st and 2nd. Board

member Blair Nelsen was elected to the Conference Board of Directors as the District 2 representative for Delaware, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, and Washington D.C. at the Annual Meeting. Board member Mia Mimms has been selected to serve on the Job Task Analysis Exam Committee for the Conference.

Corie Tillman Wolf, Executive Director, Lynne Helmick, Deputy Executive Director, and Mia Mimms, Board member, attended Board member training during the Annual Meeting.

Currently trending topics discussed at the meeting included the following:

- Death Doulas and at-home funerals
- Unlicensed telepractice
- The use of guaranteed funds for preneed contracts
- Ecolation - a new process started in Ireland that reduces a body to carbon by heating and cooling of the body inside a pod
- Cremation Trends
 - The Cremation Association of North America (CANA) 2016 report found that cremations have increased annually at a rate of 1.75% per year from 2010-2015; total cremations have increased from 26% in 2000 to 48.6% in 2015.
 - In Virginia we have continued to see an average cremation rate of about 31-40% from 2011-2015
- The Conference has new resources available online through their website, www.theconferenceonline.org, including the LRR exam handbook, model funeral laws, and a state regulatory comparison.

Virginia Laws, Rules & Regulations Exam

- The International Conference now administers the Virginia state exam or (LRR) Law, Rules & Regulations Exam
- The Exam Committee will convene this summer to review existing questions and update the current exams since some of the questions are outdated

Inspections Process

Ms. Tillman Wolf described a pilot inspection process that will begin next month to look at ways of creating inspection efficiencies for the 623 establishments inspected across the state (main, branch, and crematory).

Staff/Board Member Presentations

Ms. Tillman Wolf thanked Deputy Executive Director Lynne Helmick for her presentations on Virginia Laws & Regulations and Pre-need at various meetings for the Virginia Funeral Directors' Association (VFDA) as well as at the Association of Independent Funeral Homes of Virginia (IFHV) Annual meeting.

Ms. Tillman Wolf further thanked Board Member Mia Mimms for presenting at a VMA Regional Meeting and Board Member Blair Nelsen for his recent presentations for the VFDA and Virginia Mortician's Association (VMA) as well.

Licensure Report

Ms. Tillman Wolf provided the current statistics on licensees:

Current License Count:

License	April 2017	October 2016	October 2015
Funeral Service Licensees	1,477	1,535	1,505
Funeral Director	38	43	46
Embalmer Only	2	2	4
Supervisors	503	485	447
Interns	178	187	197
Establishments	420	438	439
Branch Establishments	75	69	68
Crematories	113	110	105
CE Providers	19	15	27
Courtesy Card Holders	84	87	71
Surface Transport & Removal Svc.	41	45	45
Total	2,950	3,016	2,954

Licenses/Registrations Issued in 2016

License Type	Number
Funeral Service Licensees	55
Supervisors	31
Interns	62
Establishments	3
Branch Establishments	8
Crematories	4
CE Providers	2
Courtesy Card Holders	10
Surface Transport & Removal Svc.	7

Customer Satisfaction

The customer satisfaction survey results for Q1 17 and Q2 17 are 100%. For Q3 17, the result was 88.9%, although this percentage was the result of one negative response on one question. A special appreciation goes to Vicki Saxby, Program Manager for the Board, as well as Heather Wright, who has been filling in for her, and to Laura Mueller, who is cross-trained.

Notes

Ms. Tillman Wolf provided reminders to the Board members regarding travel and communications.

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

PUBLIC COMMENT PERIOD

The Public comment period was inadvertently overlooked on the agenda.

Barry D. Robinson from the Virginia Mortician's Association notified the Board that the Annual Convention will be held June 28th-July 1st in Williamsburg. Mr. Robinson thanked Board member Mia Mimms for providing a Virginia laws presentation to a regional meeting of the National Funeral Directors & Morticians Association. Mr. Robinson also thanked Missy Currier and staff for their hard work.

DISCIPLINE REPORT - Lynne Helmick, Deputy Executive Director

Ms. Helmick reviewed discipline statistics and Key Performance Measures with the Board.

As of April 13, 2017, the Board had a total of 34 open cases. Nineteen cases are in investigations; 8 are in probable cause; 2 are at APD; and 5 are at the informal stage. Eleven licensees are currently being monitored for compliance with a Board Order.

Key Performance Measures – Patient Care Cases – Q2 17

- The Board's clearance rate was 0% for Q2 17; the Board received one case but did not close any patient care cases.
- The pending caseload over 250 days was at 45% (5 cases), which was above the 20% goal.
- The percentage of cases closed within 250 days was at N/A, because no patient care cases were closed.

Key Performance Measures – Patient Care Cases – Q3 17

- The Board's clearance rate was 300% for Q3 17; the Board received 2 cases and closed 6 patient care cases.
- The pending caseload over 250 days was at 20% (2 cases), which was at the 20% goal.
- The percentage of cases closed within 250 days was at 50%, where the goal is 90%. Three of the 6 closed cases were not closed within 250 days.

Ms. Helmick provided an overview of why some cases age, including the timeline of when cases are at the investigation and adjudication stages.

Ms. Helmick reviewed data regarding the total numbers of cases received and closed, clearance rates for all cases, and the average days to close a case since the first quarter of FY 2016:

Total Cases received/closed

Q1 2016	12/14
Q2 2016	20/19
Q3 2016	21/18
Q4 2016	12/21
Q1 2017	8/10
Q2 2017	12/17
Q3 2017	9/15

Percentage of all cases closed in 250 days

	Q4-2016	Q1-2017	Q2-2017	Q3-2017
FDE	81.0%	80.0%	100%	60%
Agency	85.6%	82%	85.1%	81.7%

Average days to close a case (all cases)

	Q4-2016	Q1-2017	Q2-2017	Q3-2017
FDE	240.6	193.9	166.5	295
Agency	200.1	190.8	207.7	222.8

Ms. Helmick provided a summary of the categories of cases processed by the Board in FY16 and the first two quarters of FY17.

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

BOARD COUNSEL REPORT - Erin Barrett, Assistant Attorney General

Ms. Barrett discussed an issue related to expert testimony that arose based upon a recent case involving the Board of Medicine, where a licensee respondent wanted to testify on her own behalf as an expert witness. As a result of the ruling of the Court of Appeals in that case, Ms. Barrett presented to the Board two proposed standards to be considered by the Board for admissibility of expert testimony in hearings. Although this issue may be less common for the Board of FDE, all DHP Boards are advised to adopt a standard for expert witness testimony at hearings. The Attorney General’s Office recommends the adoption of Standard #1 (Traditional Virginia Standard).

Upon a motion by Blair Nelsen, and properly seconded by Junius Williams, the Board voted to adopt Standard #1 (Traditional Virginia Standard) as presented as the standard for expert witness. The vote was unanimous.

BOARD OF HEALTH PROFESSIONS REPORT - Junius H. Williams, Jr.

Mr. Williams noted that one item discussed by the Board of Health Professions was on the agenda – the overview of the Sanctioning Reference Points. With that presentation already on the agenda, Mr. Williams did not have any additional items to report.

LEGISLATION AND REGULATORY ACTIONS - Elaine Yeatts, Policy Analyst

Ms. Yeatts informed the Board that the Notice of Intended Regulatory Action (NOIRA) for refrigeration and permission to embalm was approved by the Governor. A public comment on the NOIRA will run from May 15, 2017 to June 14, 2017. Ms. Yeatts reminded Board members that the Board will need to adopt specific wording for the proposed regulations at the July meeting.

Ms. Yeatts then stated that there are proposed revisions to one Guidance Document for the Board's consideration.

Revisions to Guidance Document 65-16 Procedures for Auditing Continuing Education. The proposed revisions include the use of a Confidential Consent Agreement (CCA) as one means of addressing a failure to obtain required continuing education (CE) credits where a licensee is truthful on their renewal application. If the licensee is truthful on their renewal card, the Board may grant an additional 90 days to complete the CE credits they are lacking through the CCA. If the licensee is untruthful on the renewal card, Board staff may offer a Prehearing Consent Order (PHCO), or may refer the licensee to an informal conference if the licensee has been previously disciplined for CE violations.

Upon a motion by Junius Williams, and properly seconded by Larry Omps, the Board voted to accept the revisions to Guidance Document 65-16, Procedures for Auditing Continuing Education. The vote was unanimous.

NEW BUSINESS

Annual Meeting of the International Conference of Funeral Service Examining Boards

Blair Nelsen provided brief comments regarding his attendance of the Conference's Annual Meeting, echoing the items of discussion previously discussed by Ms. Tillman Wolf. Mr. Nelsen then provided an overview of a discussion of internship programs from the Annual meeting, including the structure and contents of forms from other states. Mr. Nelsen proposed that the Board consider revisiting the structure of the internship program and the forms used for reporting.

- ♦ Mr. Jones appointed an ad hoc Internship Committee with Blair Nelsen, Tommy Slusser, and Junius Williams to further explore the Funeral Internship Program and report recommendations to the full Board for consideration. Ms. Tillman Wolf will work with Board members on scheduling a meeting.

Ms. Mimms provided brief comments regarding her attendance of the Conference's Annual Meeting, as well as the Board Member training. Ms. Mimms mentioned that other states discussed that their Board members and licensees could receive continuing education (CE) credits for attendance of Board meetings.

- ♦ Board members then discussed the possibility of CE credits for attendance of Board meetings and disciplinary hearings of the Board, which would encourage licensees to attend and hear the business of the Board.
- ♦ Upon a motion by Mia Mimms, properly seconded by Blair Nelsen, the Board voted to initiate a Notice of Intended Regulatory Action (NOIRA) to amend the CE regulations to allow one hour of CE credit for attendance of a Board meeting or disciplinary hearing every other year; however, a licensee who is the respondent or subject of the disciplinary hearing would not be eligible. The vote was unanimous.

Courtesy Cards

Blair Nelsen discussed recent concerns regarding courtesy cards, including the scope of services that may be provided pursuant to a Virginia courtesy card and the scope of services that may be provided pursuant to a courtesy card in neighboring states. Ms. Tillman Wolf further discussed recent phone calls regarding courtesy cards received by Board staff. Erin Barrett, Board Counsel, indicated that she will look into any legal issues that may arise regarding any proposed changes to the scope of the Virginia Courtesy Card and/or the issue of reciprocity. Board staff has requested additional information from the Conference regarding how/whether other states use courtesy cards; Board staff will compile this information for the Board's review and discussion. This topic will be included on the next agenda for further discussion.

BREAK

At 11:28 a.m., the Board recessed for a break. At 11:38 a.m., the meeting reconvened.

SANCTIONING REFERENCE POINTS – Neal Kauder, Kim Small

Mr. Kauder stated he routinely attends full board meetings to provide the Board Members with information on how sanctions are developed and how to promote more consistency across all Boards. Mr. Kauder also suggested that the Board may want to update the Sanctioning Reference Point worksheets for Funeral Directors and Embalmers, as the case data used for the current worksheets was derived from 51 cases that were adjudicated between 1999-2005. Ms. Small then walked the Board Members through a sample case showing how a case would be scored using the current Sanctioning Reference Point worksheet.

With no further questions, Mr. Kauder and Ms. Small concluded their report.

Louis Jones, Board President, stated that he would like for the Special Conference Committee to work with Mr. Kauder and Ms. Small to take a look at the worksheet for updates.

LUNCH BREAK

At 12:21p.m., the Board recessed to get lunch. At 12:41p.m., the meeting reconvened.

AGENCY DIRECTOR'S REPORT- Lisa R. Hahn, Chief Deputy

Ms. Hahn reported to the Board that opioid addiction deaths are on the rise. They have doubled from 2015 to 2016. There are more deaths yearly from overdoses than car accidents in Virginia. Ms. Hahn further explained that the majority of opioid addicts started out with legitimate prescriptions for opioids for injuries or chronic pain. After using opioids for a while your body builds up tolerance requiring more of the drug to get the same effects. A number of the Boards at DHP are currently working on their regulations to address the opioid epidemic, including the Boards of Medicine, Dentistry, and Veterinary Medicine. Unfortunately, Funeral Directors are all too familiar with the impact of opioids.

Mr. Jones and Mr. Omphs acknowledged the impact of the use of opioids on deaths in their communities with the decedents who come to their facilities.

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

ADJOURNMENT

With no further business, a motion was made by Junius Williams and properly seconded by Tommy Slusser to adjourn the meeting at 1:15 p.m.

Louis R. Jones, President

Date

Corie Tillman Wolf, Executive Director

Date

Executive Director's Report

Virginia Department of Health Professions
Cash Balance
As of May 31, 2017

	104- Funeral Directors and Embalmers
Board Cash Balance as of June 30, 2016	\$ 242,995
YTD FY17 Revenue	682,535
Less: YTD FY17 Direct and In-Direct Expenditures	530,294
Board Cash Balance as May 31, 2017	<u>395,236</u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2016 and Ending May 31, 2017

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
4002400	Fee Revenue				
4002401	Application Fee	42,245.00	28,195.00	(14,050.00)	149.83%
4002406	License & Renewal Fee	616,220.00	679,895.00	63,675.00	90.63%
4002407	Dup. License Certificate Fee	475.00	360.00	(115.00)	131.94%
4002408	Board Endorsement - In	1,200.00	-	(1,200.00)	0.00%
4002409	Board Endorsement - Out	3,350.00	3,850.00	500.00	87.01%
4002421	Monetary Penalty & Late Fees	7,960.00	4,900.00	(3,060.00)	162.45%
4002430	Board Changes Fee	4,900.00	5,195.00	295.00	94.32%
4002432	Misc. Fee (Bad Check Fee)	35.00	35.00	-	100.00%
	Total Fee Revenue	676,385.00	722,430.00	46,045.00	93.63%
4003000	Sales of Prop. & Commodities				
4003020	Misc. Sales-Dishonored Payments	150.00	-	(150.00)	0.00%
	Total Sales of Prop. & Commodities	150.00	-	(150.00)	0.00%
4009000	Other Revenue				
4009060	Miscellaneous Revenue	6,000.00	310.00	(5,690.00)	1935.48%
	Total Other Revenue	6,000.00	310.00	(5,690.00)	1935.48%
	Total Revenue	682,535.00	722,740.00	40,205.00	94.44%
5011110	Employer Retirement Contrib.	10,098.28	10,993.00	894.72	91.86%
5011120	Fed Old-Age Ins- Sal St Emp	5,168.10	6,235.00	1,066.90	82.89%
5011130	Fed Old-Age Ins- Wage Earners	62.55	604.00	541.45	10.36%
5011140	Group Insurance	974.13	1,068.00	93.87	91.21%
5011150	Medical/Hospitalization Ins.	18,479.89	19,357.00	877.11	95.47%
5011160	Retiree Medical/Hospitalizatn	876.58	962.00	85.42	91.12%
5011170	Long term Disability Ins	492.83	538.00	45.17	91.60%
	Total Employee Benefits	36,152.36	39,757.00	3,604.64	90.93%
5011200	Salaries				
5011230	Salaries, Classified	69,072.83	81,492.00	12,419.17	84.76%
5011250	Salaries, Overtime	75.05	-	(75.05)	0.00%
	Total Salaries	69,147.88	81,492.00	12,344.12	84.85%
5011300	Special Payments				
5011310	Bonuses and Incentives	262.50	-	(262.50)	0.00%
5011380	Deferred Compnstrn Match Prmts	574.50	816.00	241.50	70.40%
	Total Special Payments	837.00	816.00	(21.00)	102.57%
5011400	Wages				
5011410	Wages, General	817.74	7,896.00	7,078.26	10.36%
	Total Wages	817.74	7,896.00	7,078.26	10.36%
5011530	Short-term Disability Benefits	4,743.97	-	(4,743.97)	0.00%
	Total Disability Benefits	4,743.97	-	(4,743.97)	0.00%
5011930	Turnover/Vacancy Benefits	-	-	-	0.00%
	Total Personal Services	111,698.95	129,961.00	18,262.05	85.95%
5012000	Contractual Svs				
5012100	Communication Services				
5012110	Express Services	89.18	200.00	110.82	44.59%
5012140	Postal Services	3,914.02	3,500.00	(414.02)	111.83%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2016 and Ending May 31, 2017

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
5012150	Printing Services	37.29	1,500.00	1,462.71	2.49%
5012160	Telecommunications Svcs (VITA)	445.38	300.00	(145.38)	148.46%
5012170	Telecomm. Svcs (Non-State)	323.08	-	(323.08)	0.00%
5012190	Inbound Freight Services	1.98	-	(1.98)	0.00%
	Total Communication Services	4,810.93	5,500.00	689.07	87.47%
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	1,271.66	1,000.00	(271.66)	127.17%
5012250	Employee Tuition Reimbursement	-	1,000.00	1,000.00	0.00%
5012270	Emp Trning- Trns, Ldgng & Meals	-	800.00	800.00	0.00%
	Total Employee Development Services	1,521.66	4,600.00	3,078.34	33.08%
5012400	Mgmnt and Informational Svcs	-			
5012420	Fiscal Services	9,201.34	9,520.00	318.66	96.65%
5012440	Management Services	169.51	120.00	(49.51)	141.26%
5012470	Legal Services	515.00	150.00	(365.00)	343.33%
5012490	Recruitment Services	86.00	-	(86.00)	0.00%
	Total Mgmnt and Informational Svcs	9,971.85	9,790.00	(181.85)	101.86%
5012500	Repair and Maintenance Svcs				
5012530	Equipment Repair & Maint Srvc	-	40.00	40.00	0.00%
	Total Repair and Maintenance Svcs	-	40.00	40.00	0.00%
5012600	Support Services				
5012640	Food & Dietary Services	653.29	2,100.00	1,446.71	31.11%
5012660	Manual Labor Services	40.16	1,200.00	1,159.84	3.35%
5012670	Production Services	265.76	1,120.00	854.24	23.73%
5012680	Skilled Services	-	910.00	910.00	0.00%
	Total Support Services	959.21	5,330.00	4,370.79	18.00%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	3,766.90	5,100.00	1,333.10	73.86%
5012830	Travel, Public Carriers	801.59	700.00	(101.59)	114.51%
5012850	Travel, Subsistence & Lodging	881.10	1,600.00	718.90	55.07%
5012880	Trvl, Meal Reimb- Not Rprtble	284.25	750.00	465.75	37.90%
	Total Transportation Services	5,733.84	8,150.00	2,416.16	70.35%
	Total Contractual Svcs	22,997.49	33,410.00	10,412.51	68.83%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013120	Office Supplies	799.91	1,500.00	700.09	53.33%
5013130	Stationery and Forms	26.09	675.00	648.91	3.87%
	Total Adminstrative Supplies	826.00	2,175.00	1,349.00	37.98%
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%
5013500	Repair and Maint. Supplies				
5013520	Custodial Repair & Maint Matrl	3.65	-	(3.65)	0.00%
	Total Repair and Maint. Supplies	3.65	-	(3.65)	0.00%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10400 - Funeral Directors and Embalmers
For the Period Beginning July 1, 2016 and Ending May 31, 2017

Account Number	Account Description	Amount	Budget	Amount Under/(Over) Budget	% of Budget
5013600 Residential Supplies					
5013620	Food and Dietary Supplies	-	30.00	30.00	0.00%
5013630	Food Service Supplies	-	90.00	90.00	0.00%
	Total Residential Supplies	-	120.00	120.00	0.00%
5013700 Specific Use Supplies					
5013730	Computer Operating Supplies	-	15.00	15.00	0.00%
	Total Specific Use Supplies	-	15.00	15.00	0.00%
	Total Supplies And Materials	829.65	2,395.00	1,565.35	34.64%
5015000 Continuous Charges					
5015100 Insurance-Fixed Assets					
5015160	Property Insurance	-	36.00	36.00	0.00%
	Total Insurance-Fixed Assets	-	36.00	36.00	0.00%
5015300 Operating Lease Payments					
5015340	Equipment Rentals	7.45	-	(7.45)	0.00%
5015350	Building Rentals	9.72	-	(9.72)	0.00%
5015360	Land Rentals	-	15.00	15.00	0.00%
5015390	Building Rentals - Non State	8,514.72	8,896.00	381.28	95.71%
	Total Operating Lease Payments	8,531.89	8,911.00	379.11	95.75%
5015500 Insurance-Operations					
5015510	General Liability Insurance	-	135.00	135.00	0.00%
5015540	Surety Bonds	-	8.00	8.00	0.00%
	Total Insurance-Operations	-	143.00	143.00	0.00%
	Total Continuous Charges	8,531.89	9,090.00	558.11	93.86%
5022000 Equipment					
5022100 Computer Hardware & Software					
5022180	Computer Software Purchases	554.30	-	(554.30)	0.00%
	Total Computer Hardware & Software	554.30	-	(554.30)	0.00%
5022600 Office Equipment					
5022610	Office Appurtenances	-	132.00	132.00	0.00%
	Total Office Equipment	-	132.00	132.00	0.00%
	Total Equipment	554.30	132.00	(422.30)	419.92%
	Total Expenditures	144,612.28	174,988.00	30,375.72	82.64%
Allocated Expenditures					
20600	Funeral/TCAPT	92,614.85	103,604.90	10,990.05	89.39%
30100	Data Center	75,260.28	98,949.49	23,689.21	76.06%
30200	Human Resources	7,971.07	23,806.44	15,835.37	33.77%
30300	Finance	22,956.25	24,105.00	1,148.75	95.23%
30400	Director's Office	11,940.85	14,177.78	2,236.93	84.22%
30500	Enforcement	132,782.88	146,131.24	13,348.36	90.87%
30600	Administrative Proceedings	22,179.55	24,286.89	2,107.34	91.32%
30800	Attorney General	7,346.68	7,250.99	(95.70)	101.32%
30900	Board of Health Professions	5,726.96	9,348.63	3,621.67	61.26%
31100	Maintenance and Repairs	-	474.46	474.46	0.00%

Virginia Department of Health Professions
 Revenue and Expenditures Summary
 Department 10400 - Funeral Directors and Embalmers
 For the Period Beginning July 1, 2016 and Ending May 31, 2017

Account Number	Account Description	Amount	Budget	Amount	% of Budget
				Under/(Over) Budget	
31300	Emp. Recognition Program	265.16	302.10	36.94	87.77%
31400	Conference Center	297.02	249.47	(47.55)	119.06%
31500	Pgm Devlpmnt & Implmentn	6,340.11	7,250.08	909.97	87.45%
Total Allocated Expenditures		<u>385,681.67</u>	<u>459,737.49</u>	<u>74,055.82</u>	<u>83.89%</u>
Net Revenue in Excess (Shortfall) of Expenditures		<u>\$ 152,241.05</u>	<u>\$ 88,014.51</u>	<u>\$ (64,226.54)</u>	<u>172.97%</u>



News Brief

in this News Brief:

- *Message from the Board President and Executive Director*
 - *The Opioid Crisis: Naloxone and Funeral Directors*
 - *Accessing Vital Records at DMV Service Centers*
 - *News from the International Conference of Funeral Service Examiners – Job/Task Analysis Survey*
 - *Pending Regulatory Actions*
 - *Guidance Document 65-4 – Aiding and Abetting Unlicensed Practice*
 - *Upcoming Board Meetings*
-

Message from the Board President and Executive Director

Dear Funeral Service Licensees,

For the June 2017 News Brief, we wanted to take the time to highlight information that is both timely and important for our licensees and the work that they do every day: from the impact of the opioid crisis in funeral homes and the availability of resources for licensees, to the activities of the Board and upcoming Board meetings. We encourage you to distribute this information to your colleagues and staff.

It is a pleasure to serve you all. Thank you all for the work that you do every day for families and their loved ones across the Commonwealth.

Sincerely,

Louis R. Jones, FSL
Board President

Corie E. Tillman Wolf, J.D.
Executive Director

The Opioid Crisis: Naloxone and Funeral Directors

The escalating opioid epidemic has impacted communities all across Virginia. In response to that epidemic, numerous legislative and regulatory efforts are underway to increase awareness among health care providers and decrease access to opioids for those patients and individuals who may be susceptible to abuse or overdose.

Recently, legislation passed in the General Assembly, HB 1642/SB 1031, provided for the possession and administration of an opioid antagonist such as naloxone by employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, and employees of the Department of General Services Division of Consolidated Laboratory Services. The legislation addressed a concern that these employees may be exposed to potent opioid chemicals during a death and/or criminal investigation. That potential exposure may increase the risk of adverse health effects, including a possible accidental overdose, requiring the administration of an agent to reverse the effects. The legislation enables these employees to have naloxone on hand for this purpose.

The passage of this legislation also brings to mind a potential concern of exposure to opioid contaminants for another set of practitioners: funeral service licensees who provide care for deceased victims of the opioid crisis.

The following provides information about naloxone and the availability of naloxone in Virginia:

❖ **Understanding Naloxone**

[This flyer from the Virginia Board of Pharmacy](#) explains what naloxone is, how it works, who may obtain it, and how it is administered.

❖ **REVIVE! Program**

REVIVE! is the Opioid Overdose and Naloxone Education (OONE) program for the Commonwealth of Virginia. REVIVE! provides training to professionals, stakeholders, and others on how to recognize and respond to an opioid overdose emergency with the administration of naloxone (Narcan®). REVIVE! is a collaborative effort led by the Virginia Department of Behavioral Health and Developmental Services (DBHDS) working alongside the Virginia Department of Health, the Virginia Department of Health Professions, recovery community organizations such as the McShin Foundation, OneCare of Southwest Virginia, the Substance Abuse and Addiction Recovery Alliance of Virginia (SAARA), and other stakeholders.

--From the REVIVE! Program, Virginia Department of Behavioral Health and Developmental Services -
<http://www.dbhds.virginia.gov/individuals-and-families/substance-abuse/revive>

❖ **REVIVE! Brochure**

This brochure was designed for pharmacists to distribute when dispensing naloxone.

For more information on the opioid crisis, naloxone, and additional resources available, please visit the [REVIVE! website](#) through the Virginia Department of Behavioral Health and Developmental Services.

Please also visit the [Department of Health Professions website](#) for updates and information on how the health professions boards are working to address the opioid crisis.

Accessing Vital Records at DMV Service Centers



DMV offers a convenient resource for death certificates

A number of funeral service licensees have been taking advantage of the availability of death certificates at the Virginia Department of Motor Vehicles (DMV) since the agency began partnering with the Division of Vital Records to offer the service in 2015. For those licensees who have not accessed this service, the following provides additional information about DMV as an important and convenient resource.

Virginia birth, marriage, divorce, and death certificates are available for purchase at all of DMV's 75 customer service centers and five mobile offices. The cost of a death certificate at DMV is \$14. The walk-in process for obtaining a vital record is the same as it would be if you dealt directly with the Division of Vital Records in Richmond. The difference is that a DMV office can be found in nearly every community in Virginia. Online and mail requests for certificates are still handled by the Division of Vital Records.

For more information, please click [here](#) to visit the vital records page at DMV's website.

News from the International Conference of Funeral Service Examining Boards

The Funeral Practitioner Job/Task Analysis Survey

A Message from Lauren Thomas, Member Services Manager:

Dear Licensed Funeral Practitioner,

Please take the time to complete the Funeral Practitioner Job/Task Analysis Survey and share this link with your fellow licensed practitioners. This survey will help capture new developments in the field as well as shape future Funeral Service licensure exams. Your participation is crucial to better understanding the job and the nature of the field, and it is extremely important that you provide your feedback about the job by completing this survey. The following link will lead you to the survey, as well as instructions as to how to complete it. By completing the survey, there is a chance to earn Continuing Education credit. We have partnered with the Academy of Professional Funeral Service Practice (APFSP), as well as several state licensing boards to award CE credit. Thank you in advance for your time and feedback!

Survey Link:

<https://www.research.net/r/2955P39>

In the circulation of the survey, you may receive the link more than once, but only one submission is requested.

If you have any questions regarding the survey please direct them to Sarah Gill at exams@theconferenceonline.org.

Lauren Thomas
Member Services Manager
The International Conference of Funeral Service Examining Boards
1885 Shelby Lane, Fayetteville, AR 72704
479.442.7076 Ext. 6 (ph)

Pending Regulatory Actions

Clarification of permission to embalm and refrigeration of human remains

Stage: Notice of Intended Regulatory Action (NOIRA)

Summary: The Board of Funeral Directors and Embalmers has adopted guidance documents on its interpretation of the statutory requirements for express permission to embalm a body and for refrigeration of a dead human body. The intent of this regulatory action is to incorporate the Board's guidance on those requirements into its regulations so, if necessary, compliance can be enforced through a disciplinary proceeding.

Status: Submitted to the Registrar and awaiting publication (5/15/2017). A Public Comment Period will run from May 15, 2017, to June 14, 2017.

CE Credit for Board Meetings

Stage: Notice of Intended Regulatory Action (NOIRA)

Summary: The Board intends to amend 18VAC65-20-151, which provides requirements for continued competency for renewal of an active license. The Board intends to amend the section by offering one hour of CE credit every other year for attendance at a board meeting or at an informal conference or formal hearing. In the year the one hour of credit was granted, it could meet the statutory requirement for "one hour per year covering compliance with federal or state laws and regulations governing the profession (§ 54.1-2816.1)."

Status: DPB review in progress

For more information or updates on these pending regulatory actions, please visit **The Virginia Regulatory Townhall Website** at <http://townhall.virginia.gov>.

Guidance Document 65-4 – Aiding and Abetting Unlicensed Practice

Licensees bear the burden of ensuring that other entities with whom they contract or subcontract for funeral services are properly licensed.

For more information, licensees are encouraged to review the Virginia Board's Guidance Document, 65-4, regarding Aiding and Abetting Unlicensed Practice.

Upcoming Board Meetings

- **July 13, 2017 (9:30 a.m.)** – Ad Hoc Committee on Funeral Internships
- **July 18, 2017 (9:00 a.m.)** – Full Board Meeting
- **October 10, 2017 (10:00 a.m.)** – Full Board Meeting

Be sure to check the Board's website often for updated news and information.

Contact Information

Board of Funeral Directors & Embalmers
9960 Mayland Drive, Suite 300
Henrico, VA 23233
804-367-4479 – Office
804-527-4413 – Fax
fanbd@dhp.virginia.gov

Website: <http://www.dhp.virginia.gov/funeral/>

Workforce Data Center Report

Virginia's Funeral Service Provider Workforce: 2017

Healthcare Workforce Data Center

April 2017

DRAFT

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

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

776 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, D.C.
Director

Lisa R. Hahn, MPA
Chief Deputy Director

Healthcare Workforce Data Center Staff:

Elizabeth Carter, Ph.D.
Director

Yetty Shobo, Ph.D.
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Virginia Board of Funeral Directors and Embalmers

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Virginia Beach

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The Funeral Service Provider Workforce: At a Glance:

The Workforce

Licensees:	1,557
Virginia's Workforce:	1,239
FTEs:	1,263

Background

Rural Childhood:	56%
HS Diploma in VA:	74%
Prof. Degree in VA:	51%

Current Employment

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

Survey Response Rate

All Licensees:	50%
Renewing Practitioners:	53%

Education

Associate:	77%
Baccalaureate:	14%

Job Turnover

Switched Jobs:	3%
Employed over 2 yrs.:	80%

Demographics

Female:	26%
Diversity Index:	41%
Median Age:	53

Finances

Median Inc.:	\$50k-\$60k
Retirement Benefits:	47%
Under 40 w/ Ed debt:	41%

Time Allocation

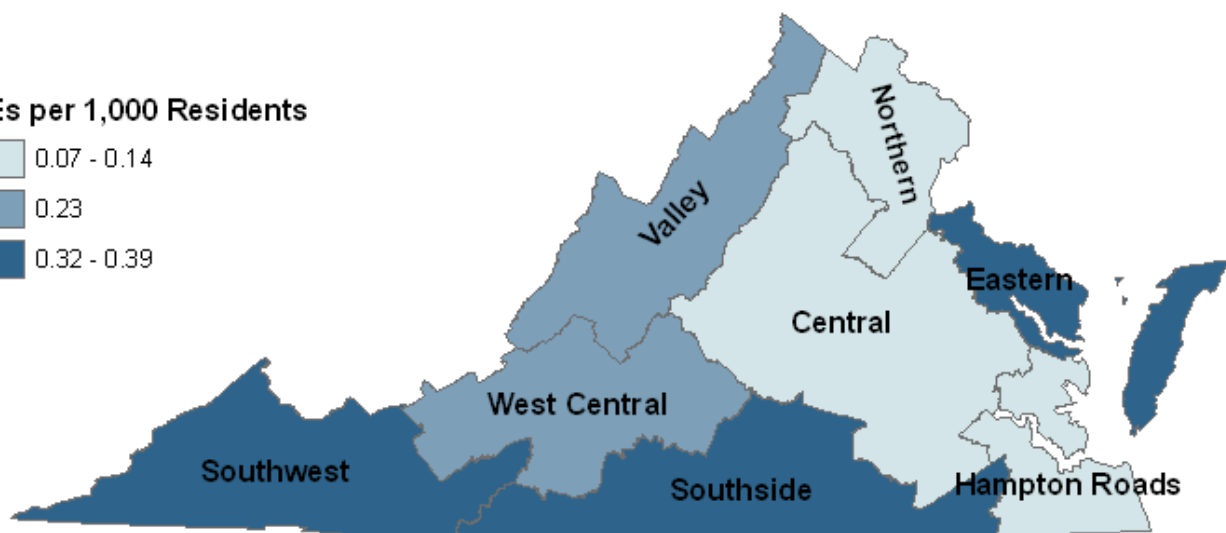
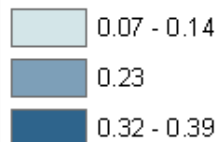
Client Care:	40-49%
Administration:	30-39%
Client Care Role:	27%

Source: Va. Healthcare Workforce Data Center

Full Time Equivalency Units per 1,000 Residents by Council on Virginia's Future Region

Source: Va Healthcare Workforce Data Center

FTEs per 1,000 Residents



Annual Estimates of the Resident Population: July 1, 2015
Source: U.S. Census Bureau, Population Division



776 funeral service providers (FSP) voluntarily took part in the 2017 Funeral Service Provider Workforce 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 50% of the 1,557 FSPs who are licensed in the state and 53% of renewing practitioners.

The HWDC estimates that 1,239 FSPs participated in Virginia's workforce during the survey period, which is defined as those 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 an FSP at some point in the future. During the past year, Virginia's FSP workforce provided 1,263 "full-time equivalency units", which the HWDC defines simply as working 2,000 hours a year (or 40 hours per week for 50 weeks with 2 weeks off).

26% of all FSPs are female, including 46% 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. For Virginia's population as a whole, there is a 56% chance that two randomly chosen people would be of different races or ethnicities.

56% of all FSPs grew up in a rural area, but only 9% of these professionals currently work in non-Metro areas of the state. Overall, 25% of Virginia's FSPs work in non-Metro areas of the state. Meanwhile, 74% of Virginia's FSPs graduated from high school in Virginia, and 51% earned their initial professional degree in the state. In total, 80% of the state's FSPs have some educational background in the state.

77% of all FSPs hold an Associate's degree as their highest professional degree, while another 14% have earned a Bachelor's degree. 21% of FSPs currently carry educational debt, including 41% of those under the age of 40. The median debt burden for those FSPs with educational debt is between \$20,000 and \$30,000.

87% of FSPs are currently employed in the profession. 76% of Virginia's FSP workforce hold one full-time position, while another 11% hold two or more positions simultaneously. In addition, 50% of all FSPs work between 40 and 49 hours per week, while 15% work at least 60 hours per week. 80% of FSPs have been at their primary work location for more than two years, while 3% have switched jobs at some point in the past year.

The typical FSP earned between \$50,000 and \$60,000 last year. In addition, 75% of all FSPs who are compensated with either an hourly wage or salary at their primary work location also receive at least one employer-sponsored benefit, including 59% who receive health insurance. 96% of FSPs are satisfied with their current employment situation, including 79% who indicated they are "very satisfied".

20% of all FSPs work in Hampton Roads, while another 17% each work in Central Virginia and Northern Virginia. 95% of all FSPs work in the for-profit sector, while another 3% work in either a state or local government. Funeral establishments employ 56% of Virginia's FSP workforce, while another 32% work for a funeral establishment with a crematory.

A typical FSP spends between 40% and 49% of his time treating patients and another 30% to 39% of his time performing administrative tasks. 27% of all FSPs serve a patient care role, meaning that at least 60% of their time is spent in patient care activities. Another 23% of Virginia's FSP workforce serve an administrative role.

21% of FSPs expect to retire by the age of 65. 7% of the current FSP workforce expect to retire in the next two years, while half of the current workforce expect to retire by 2042. Over the next two years, 8% of Virginia's FSPs are planning to pursue additional educational opportunities, while 7% plan on increasing patient care activities.

Summary of Trends

In 2016, relatively few funeral service providers (FSP) participated in the FSP survey. Only 37% of the state's licensed FSPs took part in this survey. However, the percentage increased to 50% in 2017. A similar jump occurred in the response rate of the state's renewing practitioners. While only 39% of renewing practitioners completed the survey in 2016, 53% did so in 2017.

While the survey response rate increased significantly in 2017, the number of licensed FSPs in the state actually fell slightly during the year from 1,564 to 1,557. A similar decline occurred with the state's FSP workforce. In 2016, 1,253 FSPs worked in Virginia, but this number dropped to 1,239 in 2017. However, although the state's FSP workforce declined in 2017, this workforce still produced more FTEs during the year. Virginia's FSP workforce provided 1,162 FTEs in 2016, but this number increased to 1,263 FTEs in 2017. Given these changes, there was a marked increase in the average number of FTEs provided per FSP over the past year from 0.97 to 1.06. At the same time, the number of FTEs per 1,000 residents in the state increased from 0.139 to 0.151.

Virginia's FSP workforce experienced a significant shift in its age distribution in 2017. For example, the median age of the state's FSP workforce experienced a slight uptick from 52 to 53. In addition, the percentage of the FSP workforce that is under the age of 40 declined from 30% to 21%, while the percentage of FSPs who are age 55 or older increased from 34% to 45%.

The state's FSPs also had a slightly more rural profile in 2017. 18% of all FSPs grew up in an urban area in 2016, but this percentage fell to 16% in 2017. At the same time, the percentage of FSPs who had a rural childhood increased from 51% to 56%. In addition, FSPs who grew up in a non-metro environment were slightly more likely to stay there to practice their profession. For example, 37% of all FSPs who grew up in a rural area currently work in a non-metro area of the state in 2016, and this percentage increased to 38% in 2017. Overall, the total percentage of FSPs who work in a non-metro area of the state increased from 23% to 25% in 2017.

Although there was no change in the median annual income of a FSP who works in Virginia, a typical FSP was less likely to receive an employer-sponsored benefit in 2017. Among FSPs who earn either a salary or an hourly wage at their primary work location, 81% received at least one employer-sponsored benefit in 2016, including 63% who received health insurance. However, only 75% of FSPs received at least one benefit in 2017, including 59% who obtained health insurance from their employer. Meanwhile, the percentage of FSPs who carry education debt increased from 16% to 21%, while the median debt load among those FSPs with education debt increased from \$10,000-\$20,000 in 2016 to \$20,000-\$30,000 in 2017.

Although the percentage of FSPs who are employed in the profession fell from 89% to 87% in 2017, the percentage of FSPs who hold one full-time job increased substantially from 68% to 76%. At the same time, FSPs are far less likely to either work multiple jobs or work at least 60 hours per week. In 2016, 19% of FSPs held two or more positions, but only 11% have multiple positions in 2017. In addition, whereas 18% of FSPs worked at least 60 hours per week in 2016, this percentage fell to just 15% in 2017. Meanwhile, the percentage of FSPs who work between 40 and 49 hours per week increased dramatically from 41% to 50%.

In 2017, Virginia's FSP workforce concentrated slightly more on providing client care services. The typical FSP spent between 30% and 39% of his time on client care services in 2016. However, in 2017, between 40% and 49% of a typical FSP's time was devoted to client care. In addition, the percentage of FSPs who fill a client care role increased from 21% to 27% in 2017.

Virginia's FSPs are also showing signs of delaying their retirement. In 2016, 25% of all FSPs expected to retire by the age of 65, but this percentage fell to just 21% in 2017. Among FSPs who are age 50 or over, this percentage also fell from 15% to 11%. At the same time, the percentage of FSPs who expect to increase their patient care hours rose from 4% to 7%.

A Closer Look:

Licensees		
License Status	#	%
Renewing Practitioners	1,424	91%
New Licensees	51	3%
Non-Renewals	82	5%
All Licensees	1,557	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Licensed FSPs

Number:	1,557
New	3%
Not Renewed:	5%

Response Rates

All Licensees:	50%
Renewing Practitioners:	53%

Source: Va. Healthcare Workforce Data Center

HWDC surveys tend to achieve very high response rates. 53% of renewing FSP submitted a survey. These represent 50% of FSPs who held a license at some point in the past year.

Response Rates	
Completed Surveys	776
Response Rate, All Licensees	50%
Response Rate, Renewals	53%

Source: Va. Healthcare Workforce Data Center

Statistic	Response Rates		Response Rate
	Non Respondents	Respondent	
By Age			
Under 30	74	87	54%
30 to 34	54	76	59%
35 to 39	83	73	47%
40 to 44	81	107	57%
45 to 49	86	105	55%
50 to 54	87	97	53%
55 to 59	85	94	53%
60 and Over	231	137	37%
Total	781	776	50%
New Licenses			
Issued 4/2016 to 3/2017	33	18	35%
Metro Status			
Non-Metro	157	149	49%
Metro	511	467	48%
Not in Virginia	113	160	59%

Source: Va. Healthcare Workforce Data Center

Definitions

- 1. The Survey Period:** The survey was conducted in March 2017.
- 2. Target Population:** All FSPs who held a Virginia license at some point between April 2016 and March 2017.
- 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.

At a Glance:

Workforce

FSP Workforce: 1,239
 FTEs: 1,263

Utilization Ratios

Licenses in VA Workforce: 80%
 Licenses per FTE: 1.23
 Workers per FTE: 0.98

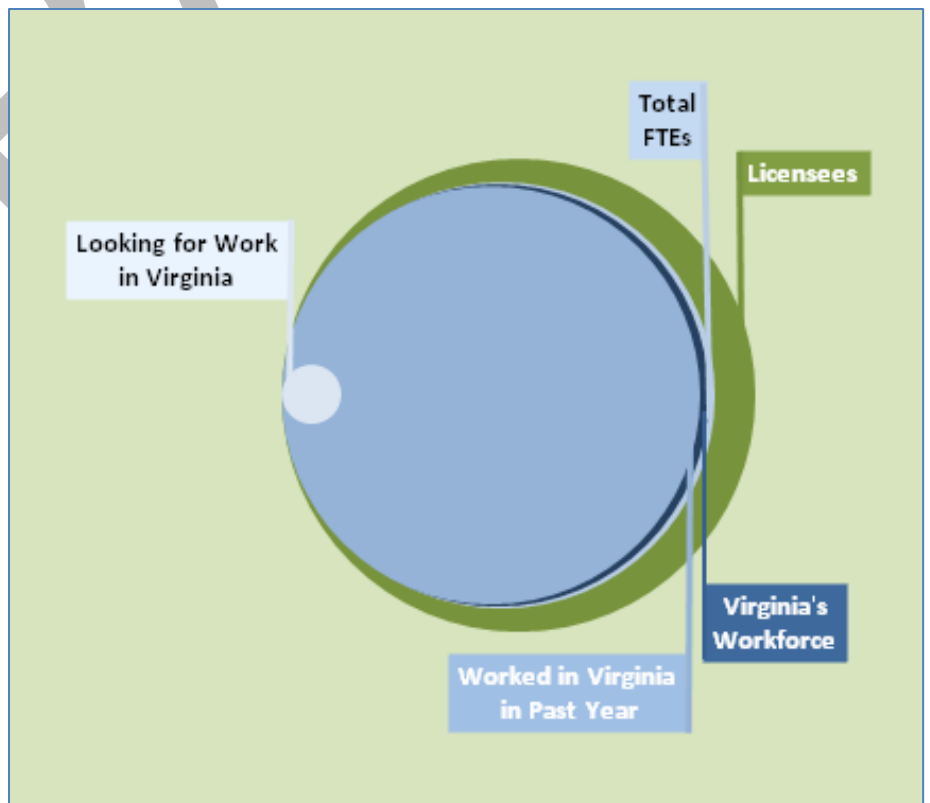
Source: Va. Healthcare Workforce Data Center

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	1,213	98%
Looking for Work in Virginia	26	2%
Virginia's Workforce	1,239	100%
Total FTEs	1,263	
Licenses	1,557	

Source: Va. Healthcare Workforce Data Center



Source: Va. Healthcare Workforce Data Center

This report uses weighting 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: www.dhp.virginia.gov/hwdc

A Closer Look:

Age & Gender						
Age	Male		Female		Total	
	#	% Male	#	% Female	#	% in Age Group
Under 35	84	60%	56	40%	140	12%
35 to 39	49	47%	56	53%	105	9%
40 to 44	73	62%	45	38%	118	10%
45 to 49	98	69%	45	31%	143	12%
50 to 54	113	75%	37	25%	150	13%
55 to 59	115	79%	32	22%	147	12%
60 to 64	126	91%	13	9%	139	12%
65 +	218	88%	29	12%	247	21%
Total	877	74%	312	26%	1,188	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Gender
 % Female: 26%
 % Under 40 Female: 46%

Age
 Median Age: 53
 % Under 40: 21%
 % 55+: 45%

Diversity
 Diversity Index: 41%
 Under 40 Div. Index: 39%

Source: Va. Healthcare Workforce Data Center

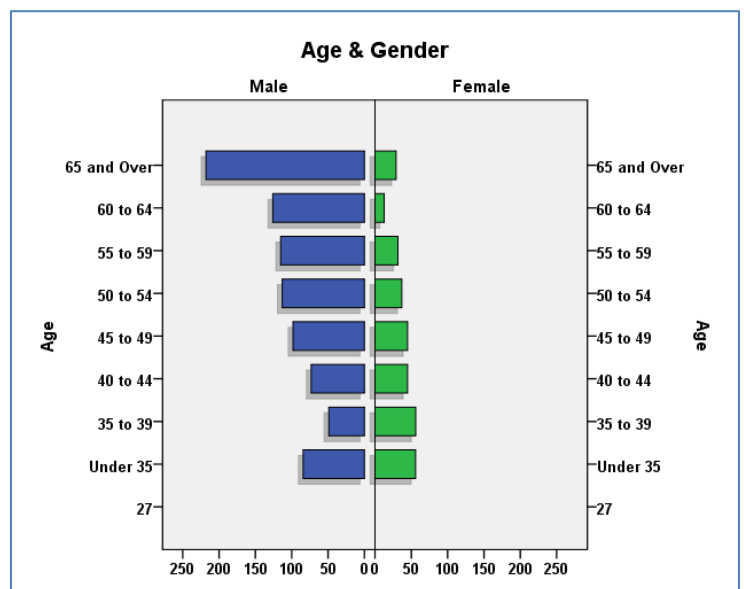
Race & Ethnicity					
Race/ Ethnicity	Virginia*	FSPs		FSPs Under 40	
	%	#	%	#	%
White	63%	898	73%	185	76%
Black	19%	285	23%	40	17%
Asian	6%	2	0%	2	1%
Other Race	0%	4	0%	2	1%
Two or More Races	3%	14	1%	6	2%
Hispanic	9%	19	2%	7	3%
Total	100%	1,222	100%	242	100%

*Population data in this chart is from the US Census, Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States, States, and Counties: July 1, 2015.

Source: Va. Healthcare Workforce Data Center

In a chance encounter between two FSPs, there is a 41% chance they would be of a different race/ethnicity (a measure known as the Diversity Index), compared to a 56% chance for Virginia's population as a whole.

21% of all FSPs are under the age of 40, and 46% of these professionals are female. In addition, the diversity index among FSPs who are under the age of 40 is 39%.



Source: Va. Healthcare Workforce Data Center

At a Glance:

Childhood

Urban Childhood: 16%
 Rural Childhood: 56%

Virginia Background

HS in Virginia: 74%
 Prof Ed. in VA: 51%
 HS or Prof Ed. in VA: 80%

Location Choice

% Rural to Non-Metro: 38%
 % Urban/Suburban to Non-Metro: 9%

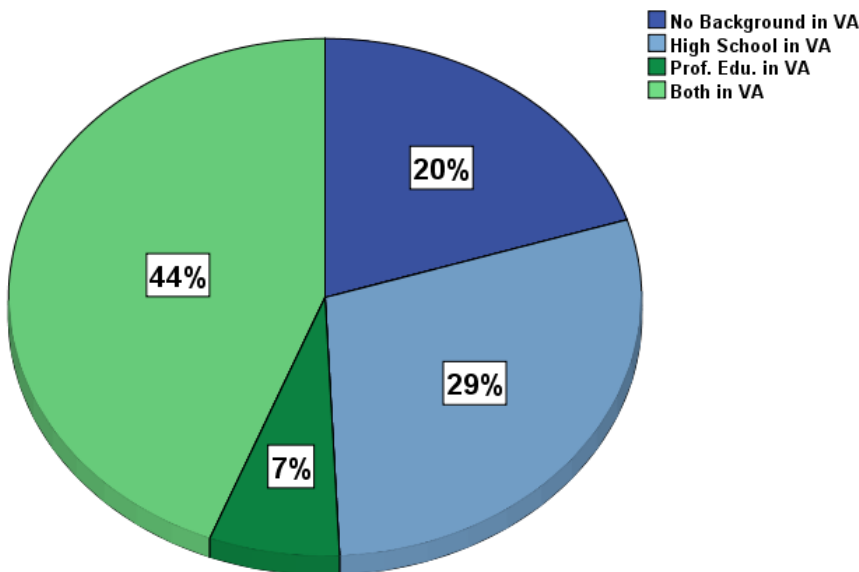
Source: Va. Healthcare Workforce Data Center

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+	36%	42%	22%
2	Metro, 250,000 to 1 million	68%	20%	12%
3	Metro, 250,000 or less	67%	21%	12%
Non-Metro Counties				
4	Urban pop 20,000+, Metro adj	73%	6%	22%
6	Urban pop, 2,500-19,999, Metro adj	92%	0%	8%
7	Urban pop, 2,500-19,999, nonadj	93%	7%	0%
8	Rural, Metro adj	73%	20%	8%
9	Rural, nonadj	88%	6%	6%
Overall		56%	28%	16%

Source: Va. Healthcare Workforce Data Center

Educational Background



Source: Va. Healthcare Workforce Data Center

56% of FSPs grew up in a rural area, and 38% of this group currently works in non-Metro areas of the state. Overall, 25% of FSPs currently work in non-metro areas of Virginia.

Top Ten States for FSP Recruitment

Rank	All FSPs			
	High School	#	Professional School	#
1	Virginia	892	Virginia	601
2	Maryland	47	Georgia	162
3	New York	40	Ohio	102
4	Pennsylvania	40	Pennsylvania	84
5	West Virginia	21	New York	44
6	North Carolina	20	Maryland	37
7	Ohio	15	Indiana	26
8	Tennessee	12	Tennessee	17
9	California	11	North Carolina	15
10	Georgia	9	Washington, D.C.	15

Source: Va. Healthcare Workforce Data Center

74% of all FSPs earned their high school degree in Virginia, and 51% also received their initial professional degree in the state.

Rank	Licensed in the Past 5 Years			
	High School	#	Professional School	#
1	Virginia	116	Virginia	101
2	Maryland	10	Pennsylvania	24
3	Pennsylvania	9	Ohio	7
4	Ohio	6	Texas	6
5	North Carolina	5	Georgia	5
6	Georgia	4	New York	5
7	Illinois	4	Maryland	5
8	Kansas	4	Illinois	4
9	West Virginia	3	California	4
10	Puerto Rico	3	Indiana	4

Source: Va. Healthcare Workforce Data Center

Among FSPs who received their initial license in the past five years, 61% earned their high school degree in Virginia, while 54% received their initial professional degree in the state.

20% of Virginia's licensees were not part of the state's FSP workforce. 79% of these licensees worked at some point in the past year, including 65% who worked as FSPs.

At a Glance:

Not in VA Workforce

Total:	317
% of Licensees:	20%
Federal/Military:	5%
Va Border State/DC:	26%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Highest Degree		
Degree	#	%
High School/GED	77	7%
Associate's Degree	892	77%
Baccalaureate Degree	163	14%
Master's Degree	23	2%
Doctorate	4	0%
Total	1,158	100%

Source: Va. Healthcare Workforce Data Center

21% of FSPs carry educational debt, including 41% of those under the age of 40. For those in debt, their median debt burden is between \$20,000 and \$30,000.

At a Glance:

Education

Associate: 77%

Baccalaureate: 14%

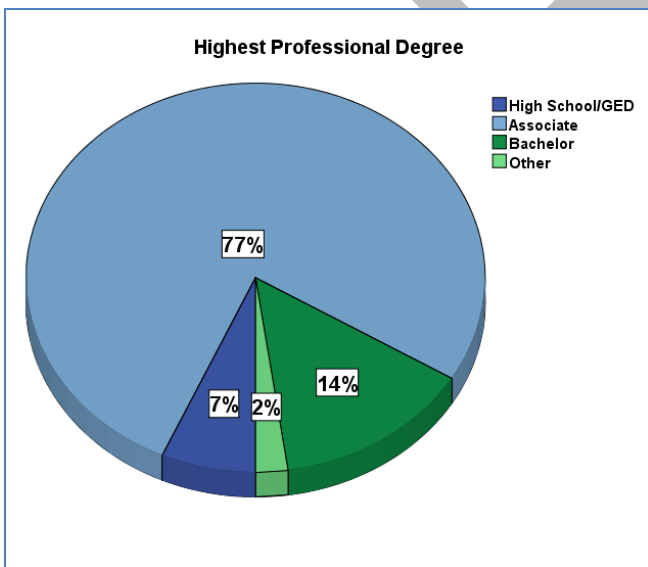
Educational Debt

Carry debt: 21%

Under age 40 w/ debt: 41%

Median debt: \$20k-\$30k

Source: Va. Healthcare Workforce Data Center



Source: Va. Healthcare Workforce Data Center

Amount Carried	All FSPs		FSPs under 40	
	#	%	#	%
None	720	79%	120	59%
Less than \$10,000	51	6%	28	14%
\$10,000-\$19,999	26	3%	16	8%
\$20,000-\$29,999	20	2%	10	5%
\$30,000-\$39,999	19	2%	8	4%
\$40,000-\$49,999	10	1%	4	2%
\$50,000-\$59,999	22	2%	4	2%
\$60,000-\$69,999	13	1%	7	3%
\$70,000-\$79,999	6	1%	2	1%
\$80,000-\$89,999	4	0%	2	1%
\$90,000-\$99,999	4	0%	0	0%
\$100,000-\$109,999	6	1%	2	1%
\$110,000-\$119,999	2	0%	2	1%
\$120,000 or more	4	0%	0	0%
Total	907	100%	205	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: 11%

Weekly Hours:

40 to 49: 50%
 60 or more: 15%
 Less than 30: 9%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Current Work Status		
Status	#	%
Employed, capacity unknown	0	0%
Employed in a FSP related capacity	1,043	87%
Employed, NOT in a FSP related capacity	108	9%
Not working, reason unknown	0	0%
Involuntarily unemployed	5	0%
Voluntarily unemployed	19	2%
Retired	29	2%
Total	1,205	100%

Source: Va. Healthcare Workforce Data Center

87% of Virginia's FSPs are employed in the profession, and 76% currently have one full-time job. 50% of FSPs currently work between 40 and 49 hours per week, while 15% work at least 60 hours per week.

Current Positions		
Positions	#	%
No Positions	53	5%
One Part-Time Position	104	9%
Two Part-Time Positions	29	3%
One Full-Time Position	877	76%
One Full-Time Position & One Part-Time Position	53	5%
Two Full-Time Positions	20	2%
More than Two Positions	24	2%
Total	1,160	100%

Source: Va. Healthcare Workforce Data Center

Current Weekly Hours		
Hours	#	%
0 hours	53	5%
1 to 9 hours	41	4%
10 to 19 hours	20	2%
20 to 29 hours	40	4%
30 to 39 hours	56	5%
40 to 49 hours	564	50%
50 to 59 hours	195	17%
60 to 69 hours	100	9%
70 to 79 hours	32	3%
80 or more hours	29	3%
Total	1,130	100%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Income		
Hourly Wage	#	%
Volunteer Work Only	13	2%
Less than 30,000	118	16%
\$30,000-\$39,999	63	9%
\$40,000-\$49,999	124	17%
\$50,000-\$59,999	120	16%
\$60,000-\$69,999	87	12%
\$70,000-\$79,999	83	11%
\$80,000-\$89,999	45	6%
\$90,000-\$99,999	24	3%
\$100,000-\$109,999	22	3%
\$110,000-\$119,999	11	1%
\$120,000 or more	34	5%
Total	743	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Earnings
Median Income: \$50k-\$60k

Benefits
Health Insurance: 59%
Retirement: 47%

Satisfaction
Satisfied: 96%
Very Satisfied: 79%

Source: Va. Healthcare Workforce Data Center

Job Satisfaction		
Level	#	%
Very Satisfied	900	79%
Somewhat Satisfied	203	18%
Somewhat Dissatisfied	30	3%
Very Dissatisfied	14	1%
Total	1,146	100%

Source: Va. Healthcare Workforce Data Center

The typical FSP made between \$50,000 and \$60,000 in the past year. Among FSPs who were compensated at their primary work location with either a salary or an hourly wage, 59% received health insurance and 47% had access to a retirement plan.

Employer-Sponsored Benefits			
Benefit	#	%	% of Wage/Salary Employees
Paid Vacation	678	65%	70%
Health Insurance	571	55%	59%
Paid Sick Leave	522	50%	54%
Retirement	446	43%	47%
Dental Insurance	383	37%	39%
Group Life Insurance	323	31%	36%
Retention Bonus	48	5%	5%
Receive at least one benefit	730	70%	75%

*From any employer at time of survey.

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Employment Instability in Past Year		
In the past year did you . . . ?	#	%
Experience involuntary unemployment?	18	1%
Experience voluntary unemployment?	48	4%
Work part-time or temporary positions, but would have preferred a full-time/permanent position?	17	1%
Work two or more positions at the same time?	159	13%
Switch employers or practices?	40	3%
Experienced at least 1	251	20%

Source: Va. Healthcare Workforce Data Center

Only 1% of Virginia's FSPs experienced involuntary unemployment at some point during the renewal cycle. By comparison, Virginia's average monthly unemployment rate was 4.0% over the past year.¹

Location Tenure				
Tenure	Primary		Secondary	
	#	%	#	%
Not Currently Working at this Location	29	3%	33	13%
Less than 6 Months	36	3%	14	6%
6 Months to 1 Year	56	5%	5	2%
1 to 2 Years	102	9%	26	11%
3 to 5 Years	182	17%	51	21%
6 to 10 Years	140	13%	43	17%
More than 10 Years	555	51%	74	30%
Subtotal	1,099	100%	246	100%
Did not have location	53		964	
Item Missing	87		29	
Total	1,239		1,239	

Source: Va. Healthcare Workforce Data Center

64% of FSPs are salaried employees at their primary work location, while 22% of FSPs receive an hour wage.

At a Glance:

Unemployment Experience

Involuntarily Unemployed: 1%
Underemployed: 1%

Turnover & Tenure

Switched Jobs: 3%
New Location: 10%
Over 2 years: 80%
Over 2 yrs., 2nd location: 68%

Employment Type

Salary/Commission: 64%
Hourly Wage: 22%

Source: Va. Healthcare Workforce Data Center

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

Employment Type		
Primary Work Site	#	%
Salary/ Commission	501	64%
Hourly Wage	170	22%
Business/ Practice Income	76	10%
By Contract	29	4%
Unpaid	6	1%
Subtotal	782	100%
Did not have location	53	
Item Missing	404	

Source: Va. Healthcare Workforce Data Center

¹ As reported by the US Bureau of Labor Statistics. The not seasonally adjusted monthly unemployment rate ranged from 3.6% in April 2016 to 3.8% in March 2017. The unemployment rate for March 2017 was still preliminary at the time of publication.

At a Glance:

Concentration

Top Region:	20%
Top 3 Regions:	54%
Lowest Region:	5%

Locations

2 or more (Past Year):	24%
2 or more (Now*):	20%

Source: Va. Healthcare Workforce Data Center

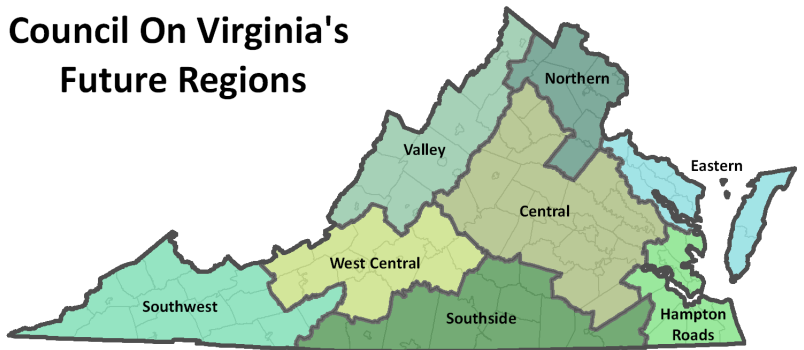
20% of all FSPs work in Hampton Roads, the most of any region in Virginia. Another 17% each work in Central Virginia and Northern Virginia.

A Closer Look:

Regional Distribution of Work Locations				
COVF Region	Primary Location		Secondary Location	
	#	%	#	%
Central	190	17%	38	15%
Eastern	55	5%	23	9%
Hampton Roads	220	20%	41	16%
Northern	188	17%	29	12%
Southside	107	10%	26	10%
Southwest	98	9%	12	5%
Valley	95	9%	28	11%
West Central	132	12%	35	14%
Virginia Border State/DC	8	1%	4	2%
Other US State	6	1%	14	6%
Outside of the US	0	0%	2	1%
Total	1,099	100%	252	100%
Item Missing	87		22	

Source: Va. Healthcare Workforce Data Center

Council On Virginia's Future Regions



20% of FSPs currently have multiple work locations, while 24% have also had multiple work location during the past year.

Locations	Number of Work Locations			
	Work Locations in Past Year		Work Locations Now*	
	#	%	#	%
0	23	2%	53	5%
1	828	74%	847	76%
2	163	15%	126	11%
3	83	7%	78	7%
4	11	1%	6	1%
5	6	1%	6	1%
6 or More	9	1%	7	1%
Total	1,123	100%	1,123	100%

*At the time of survey completion, March 2017.

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Sector	Location Sector			
	Primary Location		Secondary Location	
	#	%	#	%
For-profit	930	95%	203	92%
Non-profit	10	1%	6	3%
State/local government	31	3%	6	3%
Veterans Administration	4	0%	0	0%
U.S. Military	4	0%	2	1%
Other Federal Government	5	1%	3	1%
Total	984	100%	220	100%
Did not have location	53		964	
Item missing	203		55	

Source: Va. Healthcare Workforce Data Center

At a Glance: (Primary Locations)

Sector

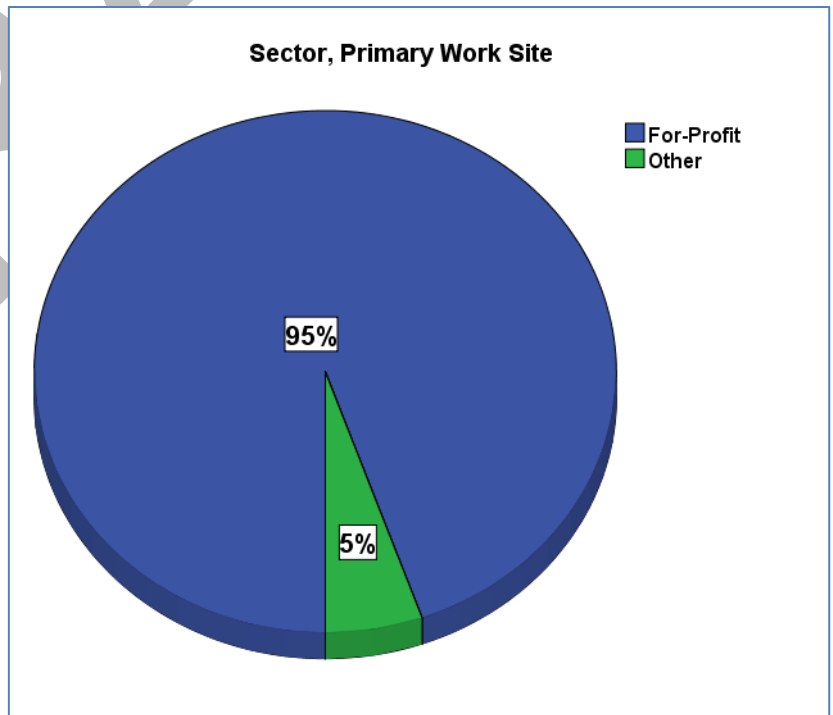
For Profit:	95%
Federal:	1%

Top Establishments

Funeral Establishment:	56%
Funeral Establishment w/ Crematory:	32%

Source: Va. Healthcare Workforce Data Center

95% of all FSPs work in a for-profit establishment, while another 3% work for a state or local government.

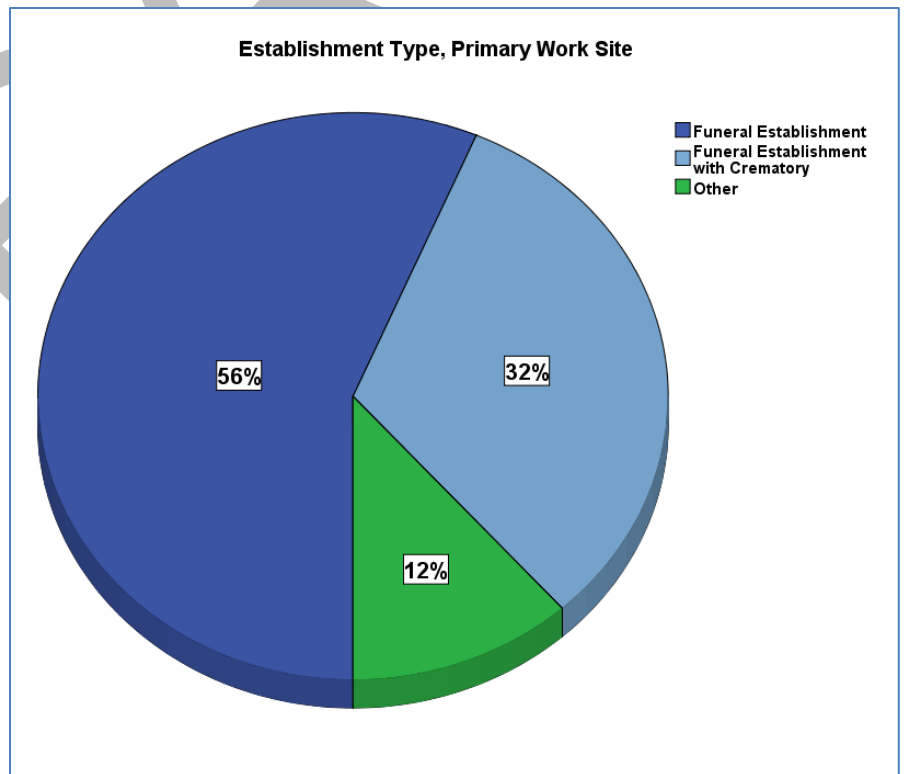


Source: Va. Healthcare Workforce Data Center

Establishment Type	Location Type			
	Primary Location		Secondary Location	
	#	%	#	%
Funeral Establishment	531	56%	138	67%
Funeral Establishment combined with Crematory	302	32%	27	13%
Funeral Establishment combined with Surface Transport and Removal	10	1%	4	2%
Academic Institution	7	1%	2	1%
Crematory (only)	4	0%	0	0%
Surface Transport and Removal (only)	2	0%	0	0%
Other practice setting	84	9%	35	17%
Total	940	100%	206	100%
Did Not Have a Location	53		964	

56% of FSPs work at a funeral establishment as their primary work location. Another 32% work at practices that combine funeral and crematory services.

Source: Va. Healthcare Workforce Data Center



Among those FSPs who also have a secondary work location, 67% work at establishments that provide only funeral service; another 13% 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

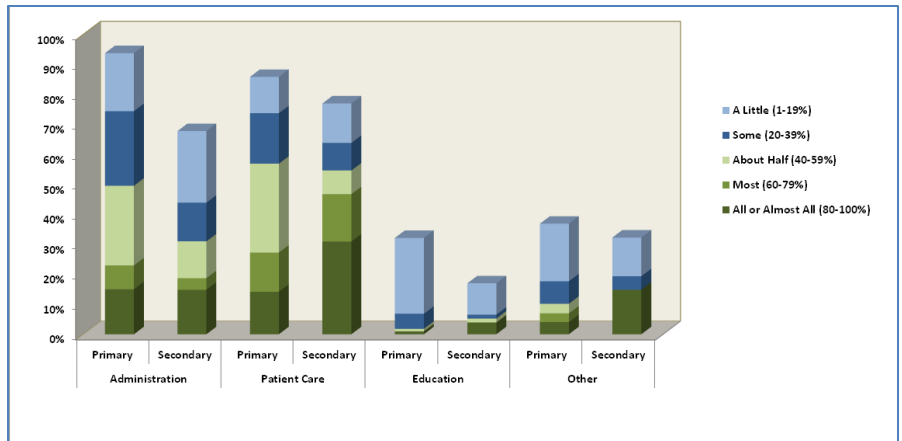
Client Care: 27%
Administrative: 23%
Education: 1%

Client Care FSPs

Median Admin Time: 10%-19%
Ave. Admin Time: 10%-19%

Source: Va. Healthcare Workforce Data Center

A Closer Look:



Source: Va. Healthcare Workforce Data Center

A typical FSP spends most of his time attending to clients and doing administrative tasks. In addition, 27% of FSPs fill a client care role, defined as spending 60% or more of their time dealing with clients.

Time Allocation								
Time Spent	Admin.		Client Care		Education		Other	
	Prim. Site	Sec. Site	Prim. Site	Sec. Site	Prim. Site	Sec. Site	Prim. Site	Sec. Site
All or Almost All (80-100%)	15%	15%	14%	31%	1%	4%	4%	15%
Most (60-79%)	8%	4%	13%	16%	0%	0%	3%	0%
About Half (40-59%)	27%	12%	30%	8%	1%	1%	3%	0%
Some (20-39%)	25%	13%	17%	9%	5%	1%	8%	5%
A Little (1-19%)	19%	24%	12%	13%	25%	10%	19%	13%
None (0%)	6%	33%	14%	23%	68%	83%	63%	69%

Source: Va. Healthcare Workforce Data Center

A Closer Look:

Retirement Expectations				
Expected Retirement Age	All FSPs		FSPs over 50	
	#	%	#	%
Under age 50	18	2%	-	-
50 to 54	20	2%	2	0%
55 to 59	20	2%	6	1%
60 to 64	127	15%	46	9%
65 to 69	229	26%	124	26%
70 to 74	163	19%	100	21%
75 to 79	52	6%	35	7%
80 or over	43	5%	32	7%
I do not intend to retire	198	23%	140	29%
Total	871	100%	485	100%

Source: Va. Healthcare Workforce Data Center

At a Glance:

Retirement Expectations

All FSPs

Under 65: 21%

Under 60: 7%

FSPs 50 and over

Under 65: 11%

Under 60: 2%

Time until Retirement

Within 2 years: 7%

Within 10 years: 22%

Half the workforce: By 2042

Source: Va. Healthcare Workforce Data Center

21% of FSPs expect to retire by the age of 65, but only 11% of those FSPs who are age 50 or over expect to retire by the same age. Meanwhile, 52% of all FSPs expect to work until at least age 70, including 23% who do not expect to retire at all.

Within the next two years, 8% of FSPs plan on pursuing additional educational opportunities, while 7% plan on increasing client care hours.

Future Plans		
2 Year Plans:	#	%
Decrease Participation		
Leave Profession	24	2%
Leave Virginia	23	2%
Decrease Client Care Hours	114	9%
Decrease Teaching Hours	9	1%
Increase Participation		
Increase Client Care Hours	81	7%
Increase Teaching Hours	23	2%
Pursue Additional Education	99	8%
Return to Virginia's Workforce	5	0%

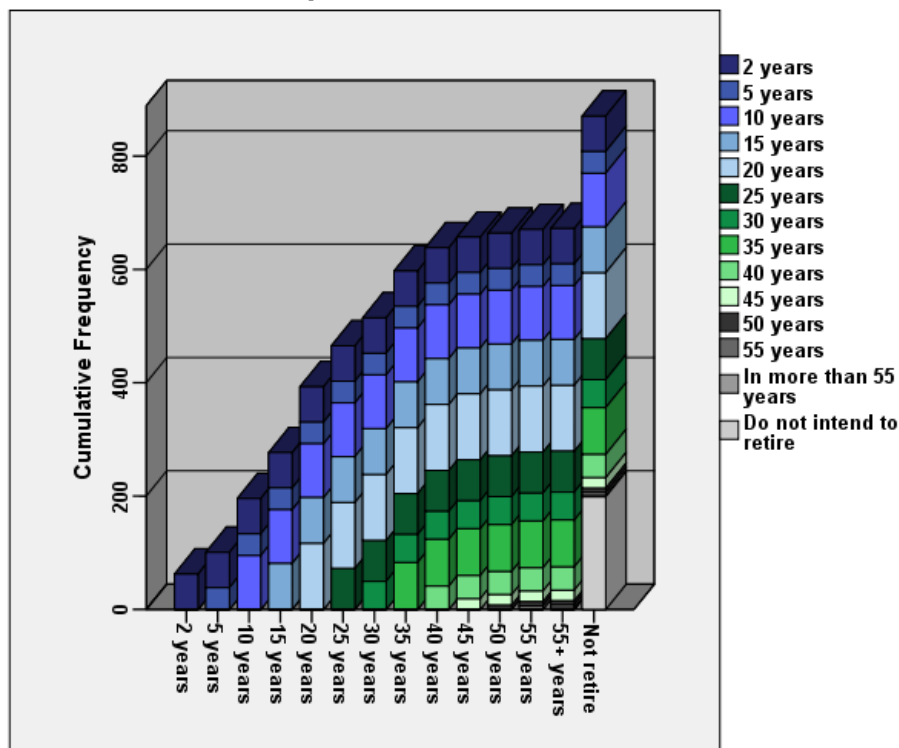
Source: Va. Healthcare Workforce Data Center

By comparing retirement expectation to age, we can estimate the maximum years to retirement for FSPs. 7% of FSPs expect to retire within the next two years, while 22% expect to retire in the next ten years. More than half of the current FSP workforce expects to retire by 2042.

Time to Retirement			
Expect to retire within. . .	#	%	Cumulative %
2 years	62	7%	7%
5 years	38	4%	11%
10 years	95	11%	22%
15 years	81	9%	32%
20 years	116	13%	45%
25 years	72	8%	53%
30 years	49	6%	59%
35 years	83	10%	68%
40 years	41	5%	73%
45 years	19	2%	75%
50 years	7	1%	76%
55 years	6	1%	77%
In more than 55 years	2	0%	77%
Do not intend to retire	198	23%	100%
Total	871	100%	

Source: Va. Healthcare Workforce Data Center

Expected Years to Retirement



Using these estimates, retirements will begin to reach over 10% of the current workforce every 5 years by 2027. Retirements will peak at 13% of the current workforce around 2037 before declining to under 10% of the current workforce again around 2042.

Source: Va. Healthcare Workforce Data Center

At a Glance:

FTEs

Total: 1,263
 FTEs/1,000 Residents: 0.151
 Average: 1.06

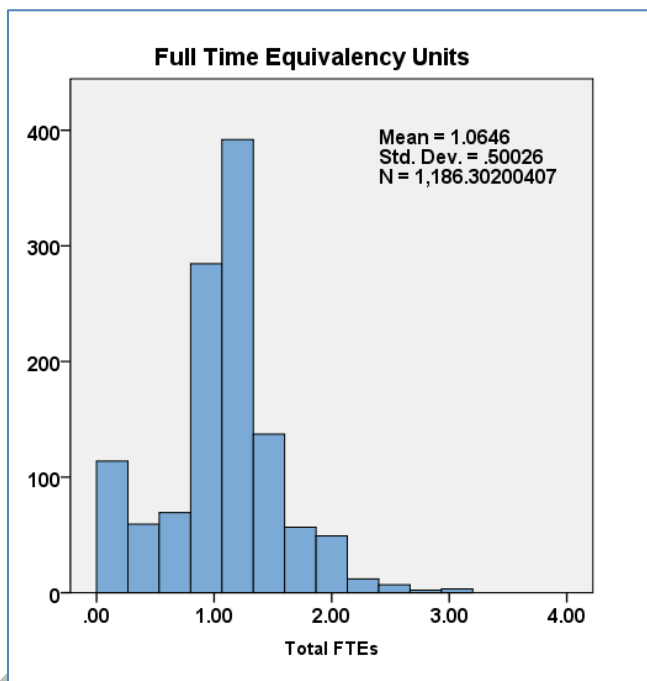
Age & Gender Effect

Age, Partial Eta²: Medium
 Gender, Partial Eta²: Small

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

Source: Va. Healthcare Workforce Data Center

A Closer Look:

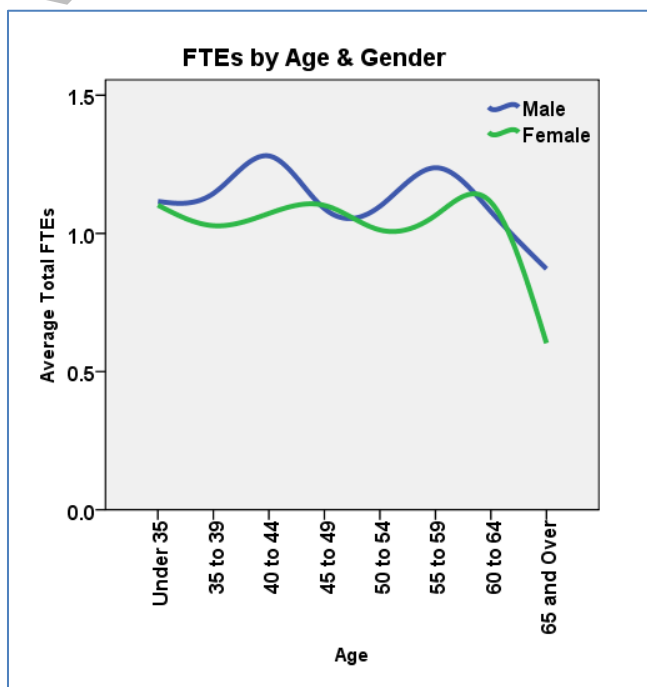


Source: Va. Healthcare Workforce Data Center

The typical (median) FSP provided 1.09 FTEs during the past year or approximately 44 hours per week for 50 weeks. Although FTEs appear to vary by age and gender, statistical tests did not verify that a difference exists.²

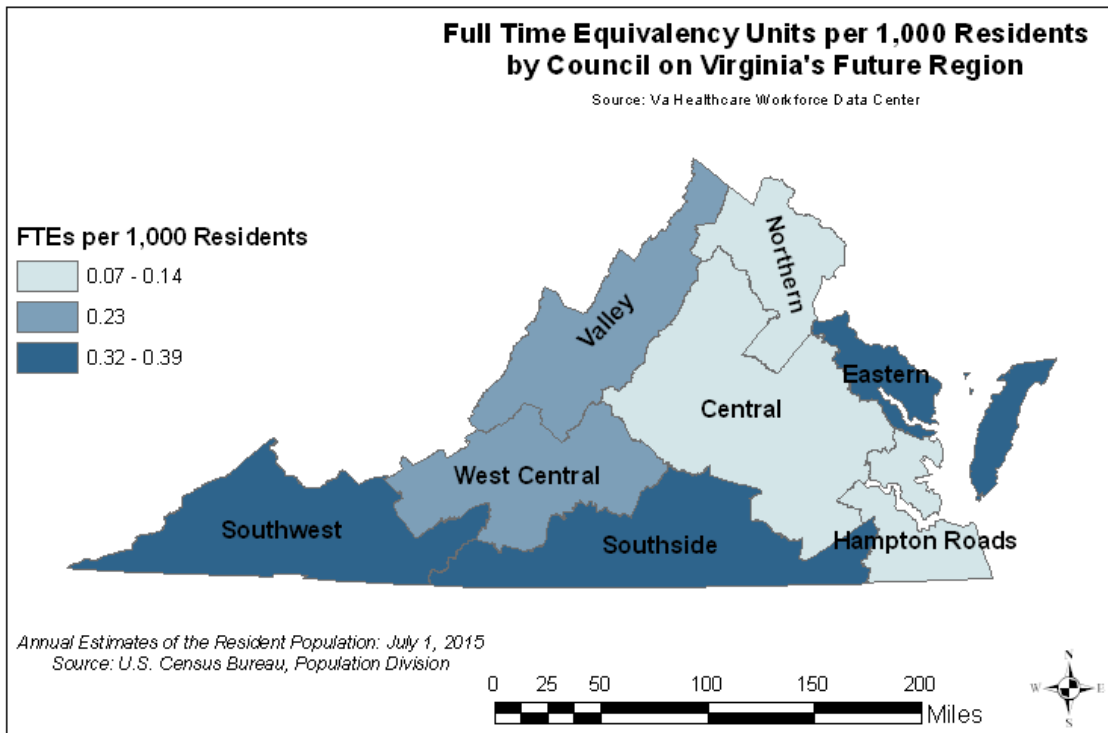
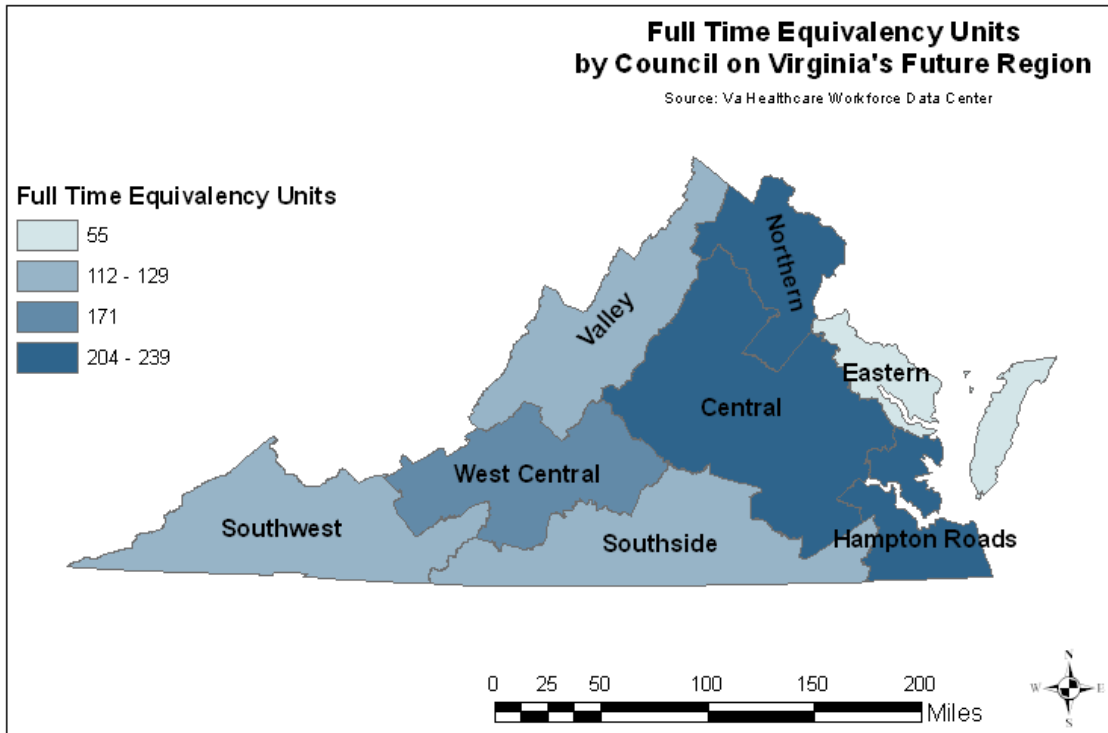
Full-Time Equivalency Units		
Age	Average	Median
Age		
Under 30	1.10	1.09
30 to 34	1.06	1.09
35 to 39	1.21	1.18
40 to 44	1.10	1.09
45 to 49	1.07	1.09
50 to 54	1.20	1.18
55 to 59	1.09	1.09
60 and Over	0.86	1.01
Gender		
Male	1.08	1.09
Female	1.03	1.09

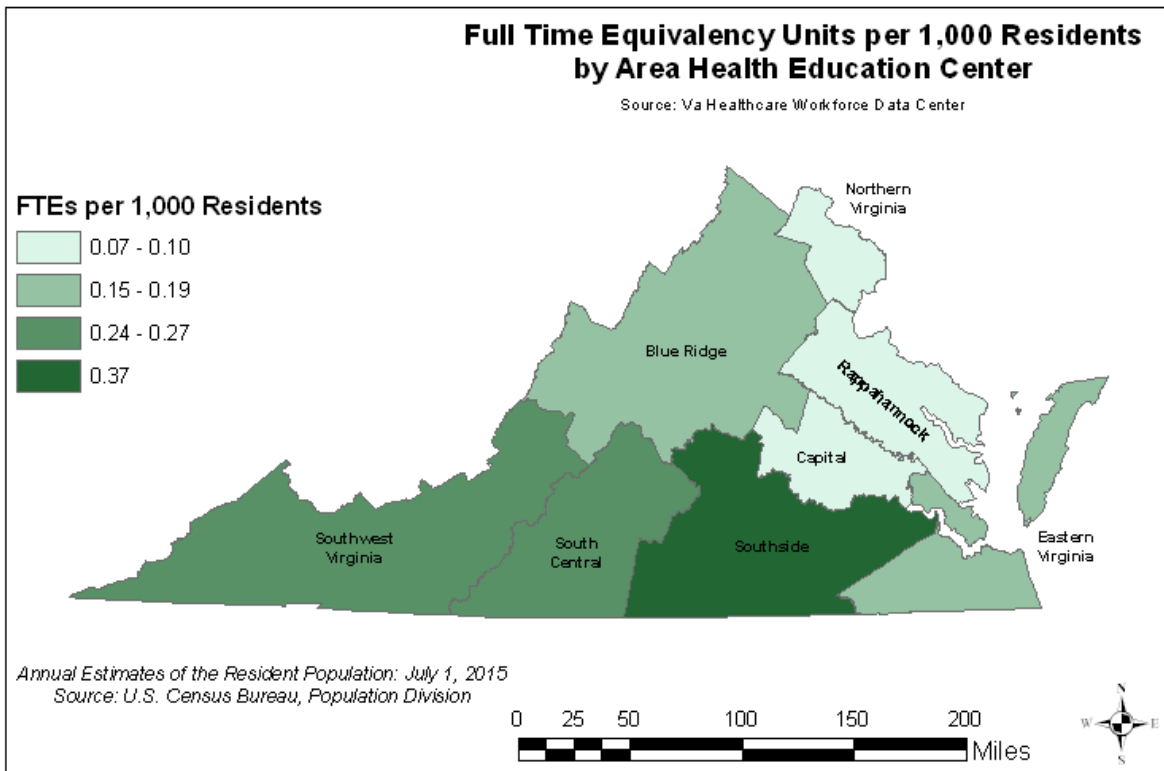
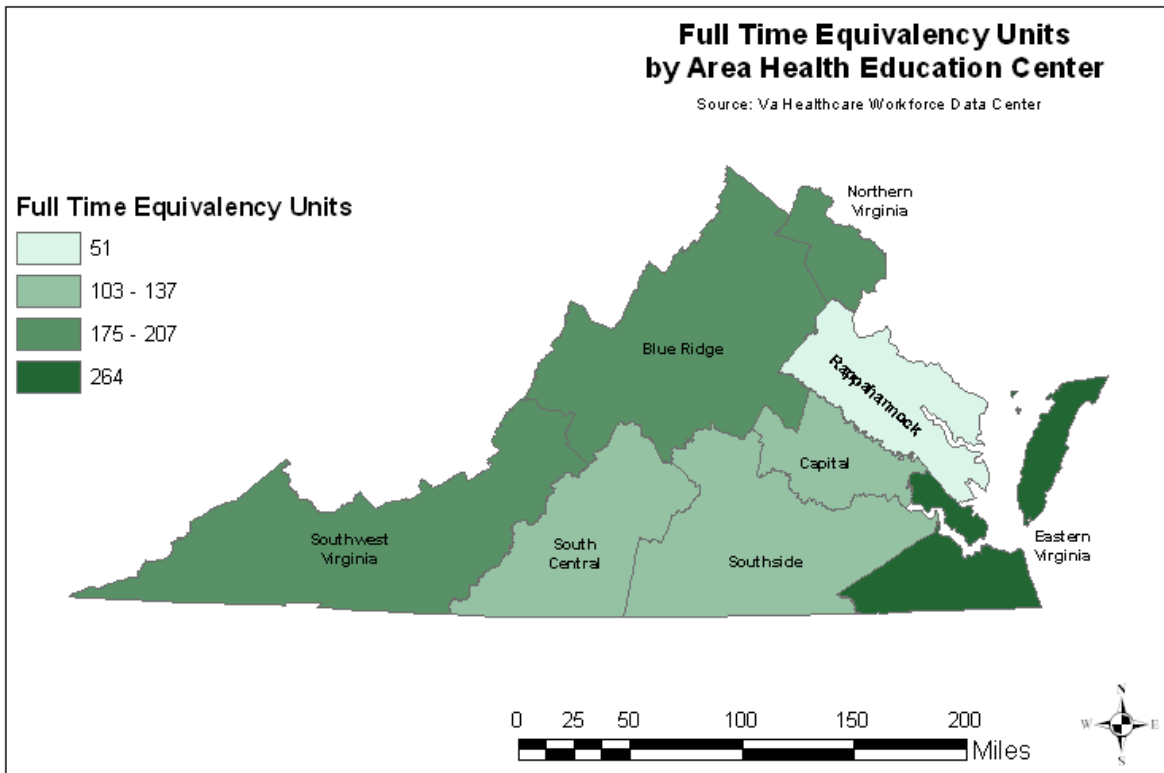
Source: Va. Healthcare Workforce Data Center

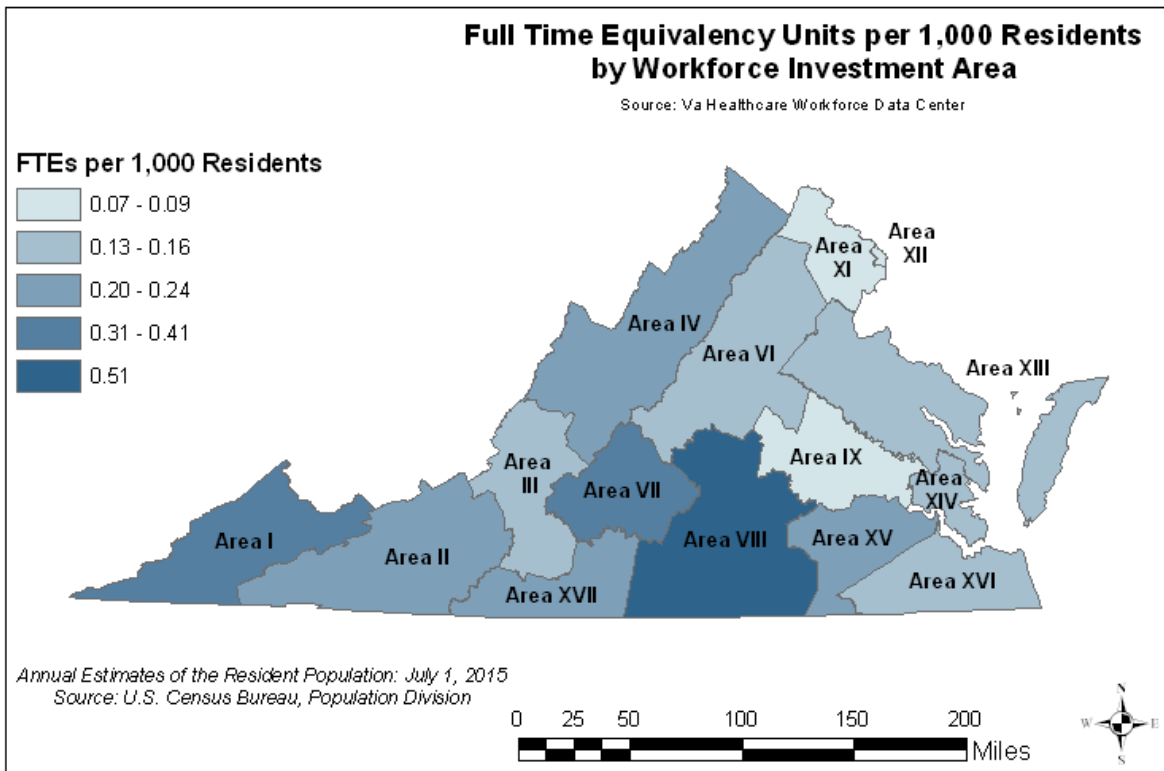
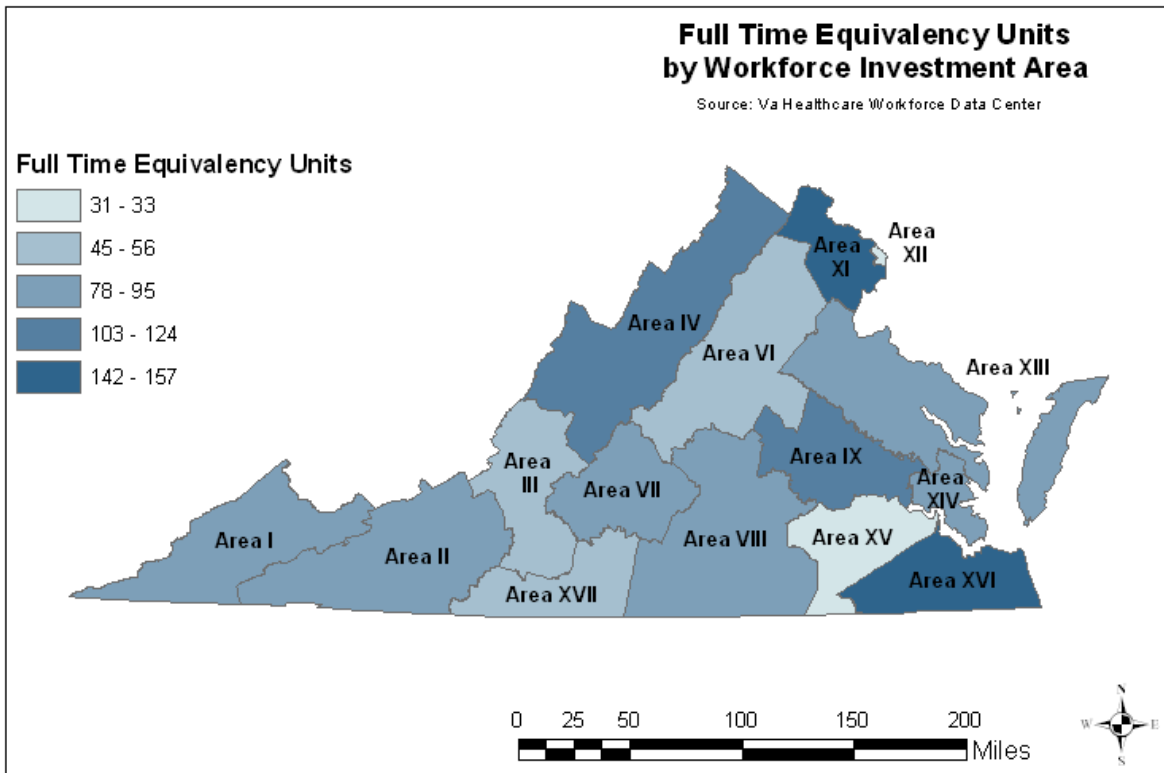


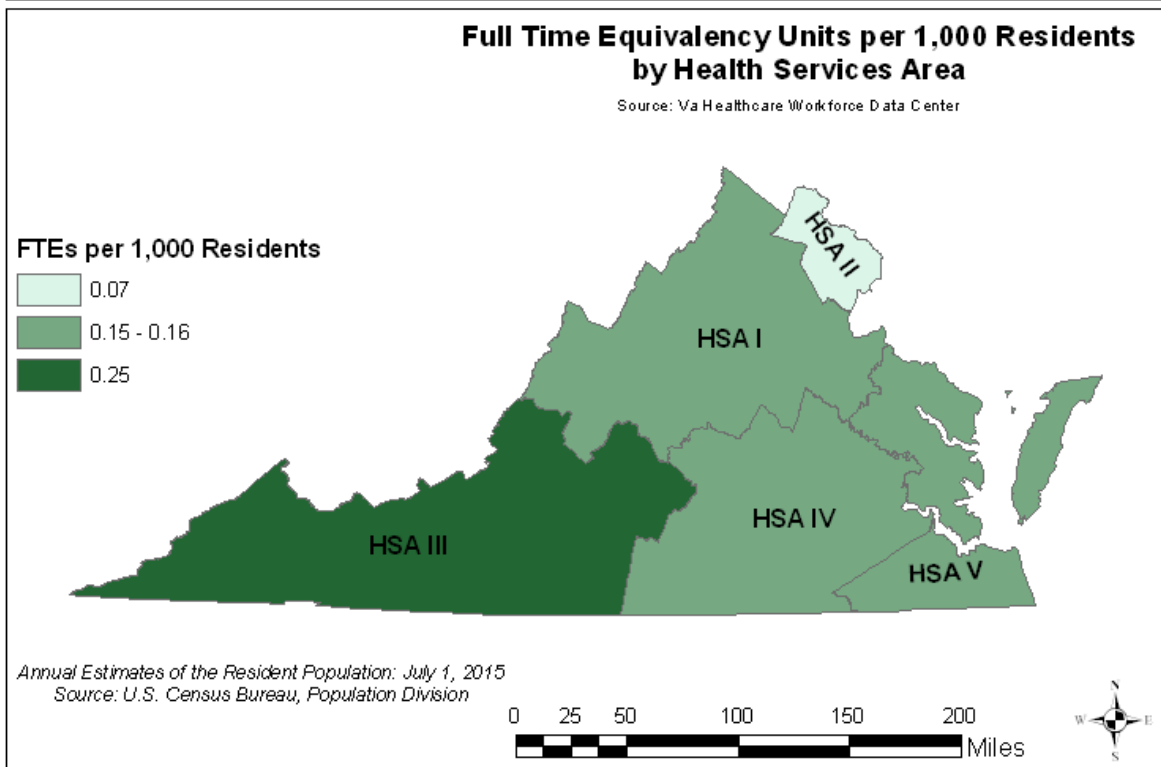
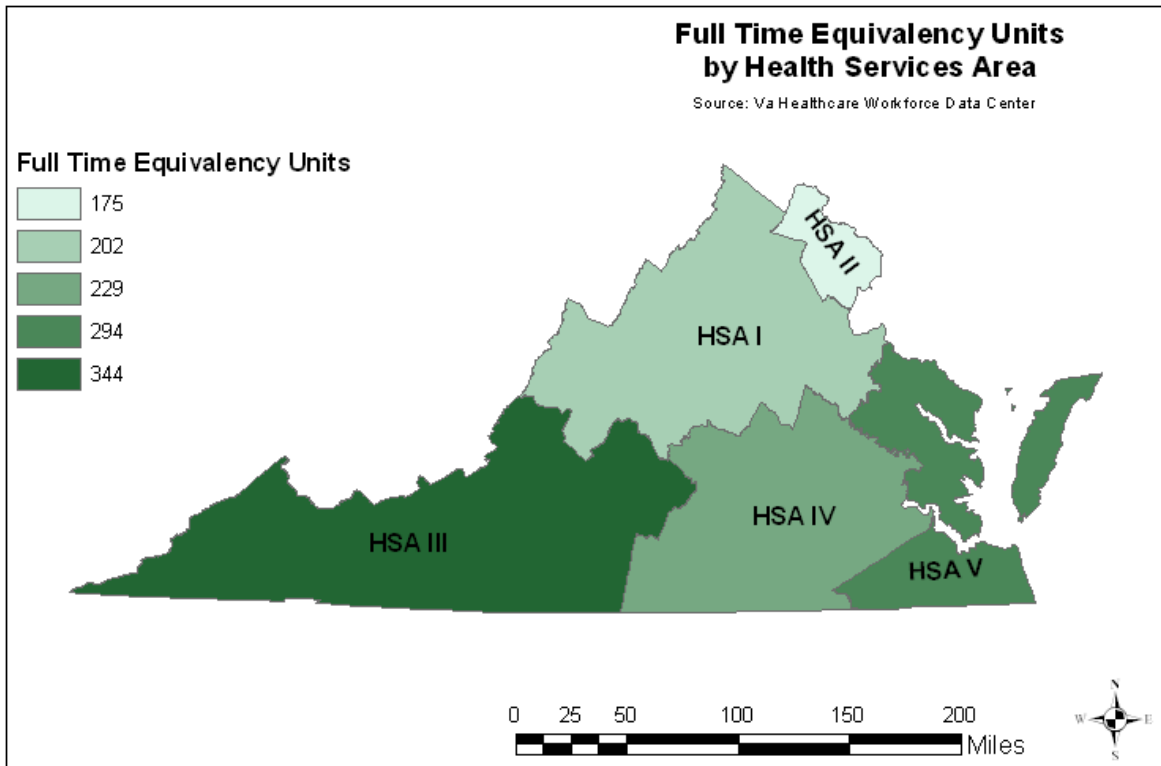
Source: Va. Healthcare Workforce Data Center

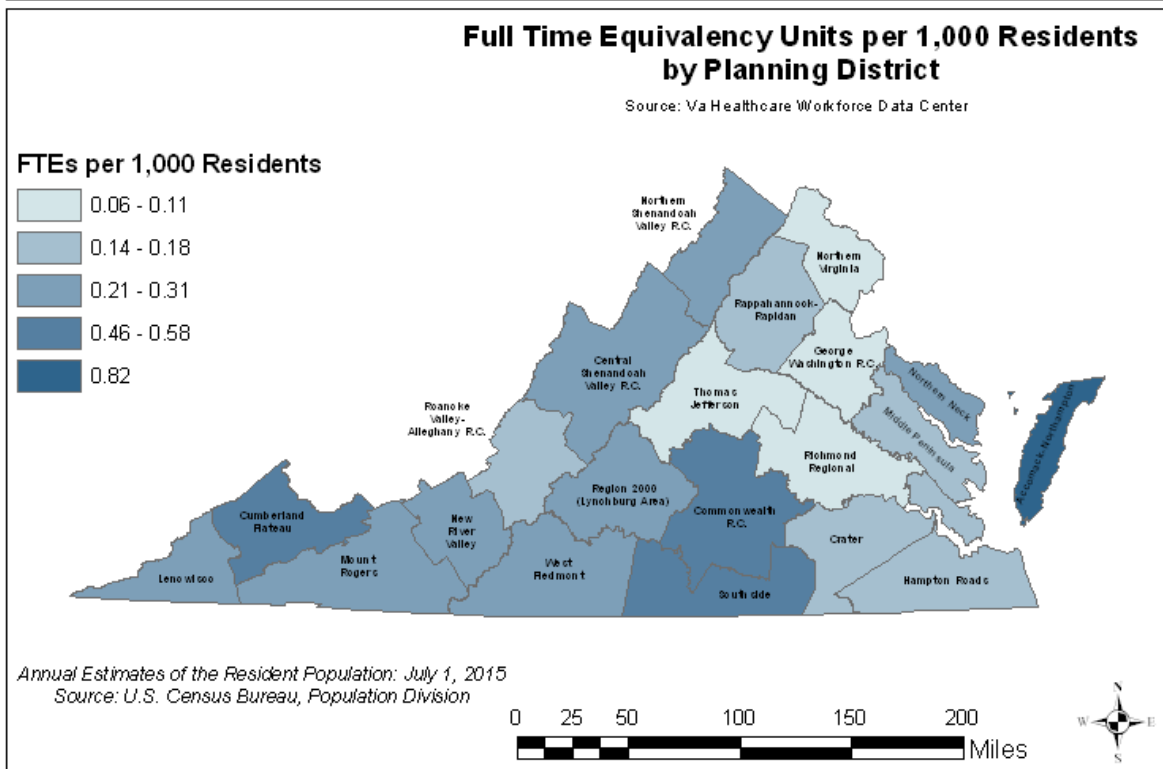
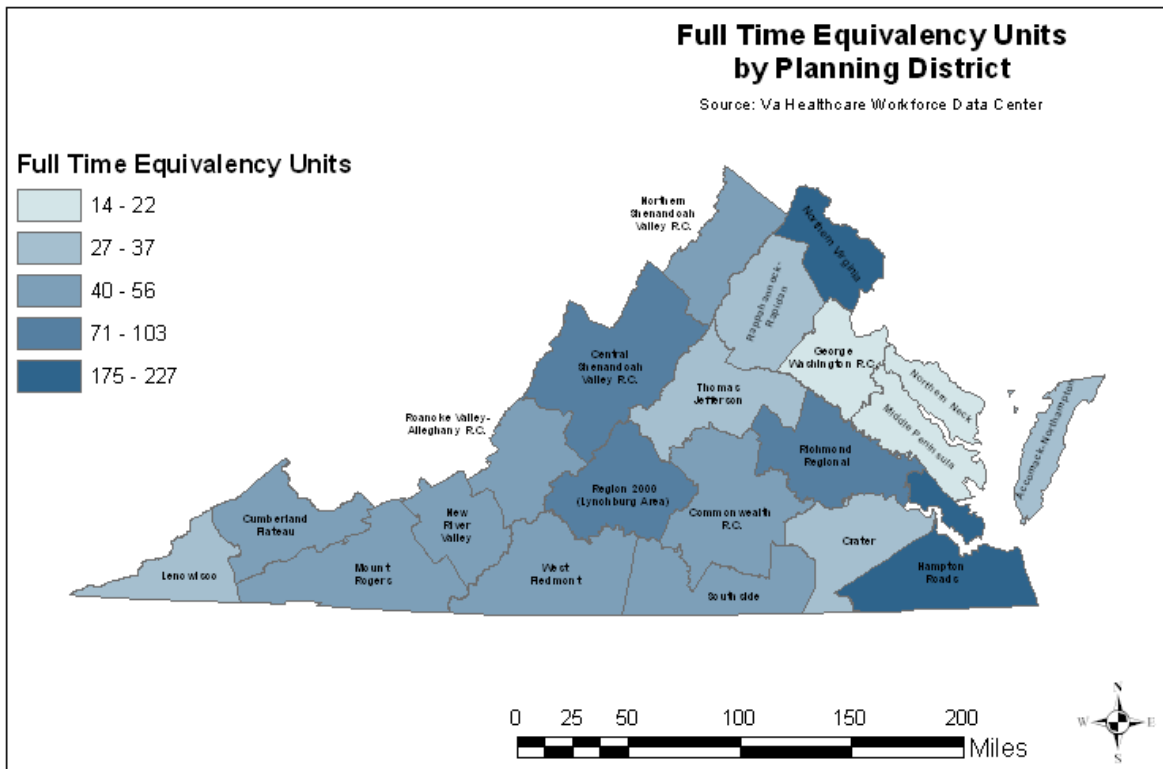
² Due to assumption violations in Mixed between-within ANOVA (Levene's Test is significant)











Appendix A: Weights

Rural Status	Location Weight			Total Weight	
	#	Rate	Weight	Min	Max
Metro, 1 million+	677	43.43%	2.302721	1.96311	3.08277
Metro, 250,000 to 1 million	156	59.62%	1.677419	1.43003	2.24565
Metro, 250,000 or less	145	55.17%	1.8125	1.54519	2.42649
Urban pop 20,000+, Metro adj	45	44.44%	2.25	1.97029	3.01219
Urban pop 20,000+, nonadj	0	NA	NA	NA	NA
Urban pop, 2,500-19,999, Metro adj	92	47.83%	2.090909	1.78254	2.79921
Urban pop, 2,500-19,999, nonadj	79	44.30%	2.257143	1.92425	3.02176
Rural, Metro adj	56	53.57%	1.866667	1.59136	2.49901
Rural, nonadj	34	58.82%	1.7	1.44928	2.27588
Virginia border state/DC	198	61.62%	1.622951	1.38359	2.17273
Other US State	75	50.67%	1.973684	1.6826	2.64228

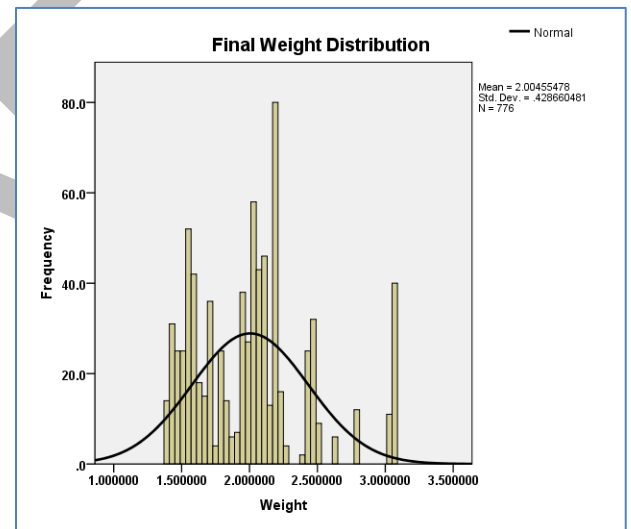
Age	Age Weight			Total Weight	
	#	Rate	Weight	Min	Max
Under 30	161	54.04%	1.850575	1.49687	2.12384
30 to 34	130	58.46%	1.710526	1.38359	1.96311
35 to 39	156	46.79%	2.136986	1.72854	2.45254
40 to 44	188	56.91%	1.757009	1.42119	2.01646
45 to 49	191	54.97%	1.819048	1.47137	2.08765
50 to 54	184	52.72%	1.896907	1.53435	2.17701
55 to 59	179	52.51%	1.904255	1.54029	2.18544
60 and Over	368	37.23%	2.686131	2.17273	3.08277

See the Methods section on the HWDC website for details on HWDC Methods: www.dhp.virginia.gov/hwdc/

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: 0.498394



Source: Va. Healthcare Workforce Data Center

Legislation and Regulatory Actions

Virginia Board of Funeral Directors and Embalmers

Permission to Embalm

Virginia Code §54.1-2806 (26) and §54.1-2811.1 (B) state that a dead human body “shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order.”

The Board of Funeral Directors and Embalmers interprets “*express permission by a next of kin*” to mean written authorization *to embalm* as a specific and separate statement on a document or contract provided by the facility. Express permission may include direct, verbal authorization *to embalm*, provided it is followed as soon as possible by a written document 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.

Virginia Board of Funeral Directors and Embalmers

Refrigeration of Dead Human Bodies

Virginia Code §54.1-2811.1 (B) states, “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.”

The Board of Funeral Directors and Embalmers interprets this provision as meaning that if a body is to be in the possession of the funeral home 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 is to be placed in a mechanical refrigeration unit suitable for storing human remains. The Board does not interpret lowering the air conditioning in a storage room to 40 degrees or packing the body in ice or dry ice as meeting the statutory requirement.

The Board would view evidence of compliance with Virginia Code §54.1-2811.1 (B) as a working refrigeration unit in the funeral home or crematory or a letter of agreement/contract with another funeral establishment, hospital, or morgue to allow the funeral home or crematory to refrigerate in its refrigeration unit. The Board would view evidence of the body being “maintained in refrigeration” as log entries indicating times of placement and removal of a body in refrigeration.



townhall.virginia.gov

Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Board of Funeral Directors and Embalmers, Department of Health Professions
Virginia Administrative Code (VAC) citation(s)	18VAC65-20-10 et seq.
Regulation title(s)	Regulations of the Board of Funeral Directors and Embalmers
Action title	Permission to embalm and refrigeration of dead human bodies
Date this document prepared	2/20/17

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

Subject matter and intent

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

At its meeting on January 10, 2017, the Board of Funeral Directors and Embalmers adopted guidance documents on its interpretation of the statutory requirements for express permission to embalm a body and for refrigeration of a dead human body. The intent of this regulatory action is to incorporate the board's guidance on those requirements into its regulations so if necessary, compliance can be enforced through a disciplinary proceeding.

Legal basis

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

provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

18VAC65-20-10 et seq. Regulations of the Board of Funeral Directors and Embalmers are promulgated under the general authority of Chapter 24 of Title 54.1 of the Code of Virginia. Section 54.1-2400 (6) provides the Board with authority to promulgate regulations to administer the regulatory system:

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

...

6. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) which are reasonable and necessary to administer effectively the regulatory system. Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 (§ 54.1-100 et seq.) and Chapter 25 (§ 54.1-2500 et seq.) of this title.

Authority for the Board to take disciplinary action for failure to obtain permission to embalm and for refrigeration of human remains is found in:

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

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

- 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.*

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

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

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

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

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

Purpose

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

The purpose of this regulatory action is to provide clear, enforceable regulations on the meaning of the statutory requirement for “express” permission to embalm and on the requirement to maintain a body in refrigeration at no more than approximately 40 degrees. The Board has received complaints and noted deficiencies on compliance with these requirements. Both the licensees and the public need clarity on these matters so public health and safety is not jeopardized.

Substance

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

Guidance document 65-8 specifies that: Virginia Code §54.1-2806 (26) and §54.1-2811.1 (B) state that a dead human body “shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order.” The Board interprets “*express permission by a next of kin*” to mean written authorization *to embalm* as a specific and separate statement on a document or contract provided by the facility. Express permission may include direct, verbal authorization *to embalm*, provided it is followed as soon as possible by a written document 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.

Guidance document 65-18 specifies that: Virginia Code §54.1-2811.1 (B) states, “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.” The Board

of Funeral Directors and Embalmers interprets this provision as meaning that if a body is to be in the possession of the funeral home 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 is to be placed in a mechanical refrigeration unit suitable for storing human remains. The Board does not interpret lowering the air conditioning in a storage room to 40 degrees or packing the body in ice or dry ice as meeting the statutory requirement.

The Board would view evidence of compliance with Virginia Code §54.1-2811.1 (B) as a working refrigeration unit in the funeral home or crematory or a letter of agreement/contract with another funeral establishment, hospital, or morgue to allow the funeral home or crematory to refrigerate in its refrigeration unit. The Board would view evidence of the body being “maintained in refrigeration” as log entries indicating times of placement and removal of a body in refrigeration.

In order to enforce its interpretative statements on permission to embalm and refrigeration of human remains, the Board intends to incorporate the guidance into its regulations.

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

The Board has utilized the alternative of offering its interpretation of how a licensee can comply with statutory requirements for embalming and refrigeration in guidance documents previously adopted and revised on January 10, 2017. However, on advice from counsel, its interpretative documents cannot be cited in a disciplinary notice, and a licensee could not be held accountable for failure to follow the Board’s guidance. Therefore, promulgation of a regulation is the only alternative to achieve enforceability.

Public participation

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

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

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

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

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

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

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	<u>Clarification of permission to embalm and refrigeration of human remains</u>
Stage	<u>NOIRA</u>
Comment Period	Ends 6/14/2017

[Back to List of Comments](#)

Commenter: Bruce Keeney, Association of Independent Funeral Homes of Virginia (IFHV)

5/30/17 1:45 pm

Refrigeration of Remains

The Association of Independent Funeral Homes of Virginia (IFHV) supports the intent of the proposed regulation as it provides clarification for the funeral service license and complies with the profession's standards of care. We do have some concern with the suggested mandate of maintaining a "log" in that it imposes an additional administrative burden and may represent an additional separate potential regulatory violation (failure to maintain the log.) In lieu of a mandatory log, the Board may wish to consider something similar to the concept that a notation in the deceased records (relating to refrigeration) shall be considered by the Board as evidence of compliance. However, noting the proposed regulations track the Board's current guidelines, and proposal following accepted standards of the profession, IFHV concurs with the intent and supports this issue moving forward in the regulatory process.

June 13, 2017

From: Barry D. Robinson (Virginia Funeral Service Licensee)

To: Virginia Board of Funeral Directors and Embalmers

Subj: Comments on Proposed regulations

- **Authorization to Embalm**

As to establishing new regulations clarifying the "Authorization to Embalm" , I agree that this should be a standalone authorization. However, an additional separate document should be the firm's choice. If one desires to have that authorization /wording on their contract and have the responsible individual sign that entry, this should be sufficient. We further agree that when verbal authorization is given, one must follow-up with written authorization up the arrangement conference being conducted.

- **Refrigeration of Dead Humans**

With rise on new diseases and illness, refrigeration of the dead is greatly needed. However, I have a few concerns as a individual licensee with the options that has been stated in the guidance document. **First**, most hospitals will not allow a funeral home to store remains there that did not die there. They are requiring and pushing that a quick removal be made to allow for additional space for their in house deaths. **Secondly**, to store at a morgue need to be clarified. I don't think the Office of the Chief Medical Examiner is open to funeral homes bringing their cases to them for storage. To my acknowledge, I don't know of any public morgue facilities available to funeral homes. **Lastly**, to have a contract with a local funeral home in your area for that purpose may work if they are colleagues and not competitors. This sounds good but is not reality.

If this regulation is passed, I recommend that a grandfather cause be added to assist those small private owned funeral homes. Many of them will have to construct or renovate their facility to comply with this change. This could be a timely project.

A question that is raised, will this mean every new funeral establishment in Virginia will have to met this requirement prior to a license being issued from the Board?

As to a log sheet/book being maintained, that information could be added to the embalming report or data sheet at the time of arrangements.

Respectfully,

Barry D. Robinson, CFSP
Funeral Service Licensee

**Courtesy Cards (Information from other states
provided through the International Conference of
Funeral Service Examining Boards)**

Membership Questions

Apr-17

Question:

We have a member board who is seeking information regarding courtesy cards. If you are unfamiliar with this term, a courtesy card holder allows a licensed funeral director or embalmer who is licensed in another jurisdiction (that has similar licensure requirements), to come into your jurisdiction (once approved) and perform duties such as: removals, arrange funerals, embalm bodies, or other services. If your jurisdiction allows courtesy card holders, can you please provide more information including statute language?

STATE Missouri	Missouri does not have.
Saskatchewan	Does not exist in Saskatchewan
Ontario	Please see the following link to the Bereavement Authority of Ontario's website that lists the requirements for Applicants currently licensed outside of Canada" for more information: http://thebao.ca/Pro/Personal/New/OutsideOntario/Country
North Dakota	No cards are issued to "other" embalmers.
California	California does not have this.
Alabama	Alabama does not have or honor "Courtesy Cards".
West Virginia	West Virginia allows licensed funeral directors from adjoining states to apply for a courtesy cars. The Board's Regulations state as follows: §6-1-14. Courtesy Card. 14.1. Requirements. The applicant shall: 14.1.1. Certify residency of a state which borders West Virginia; 14.1.2. Certify licensure status as a funeral director and embalmer in his state of residence, on a form supplied by the Board; 14.1.3. Submit an application, supplied by the Board; and 14.1.4. Pay fees, prescribed in section 16 of this rule. 14.2. Privileges. 14.2.1. A courtesy card holder may conduct funerals, prepare death certificates, and bury a dead human body for an out-of-state funeral establishment, within the boundaries of the state of West Virginia. 14.2.2. A courtesy card holder may advertise for his or her funeral establishment in publications or other media in West Virginia, so long as the courtesy card holder follows section 9 of this rule. 14.2.2. Responsibilities. A courtesy card holder shall obey all the laws of the state of West Virginia and this rule. 14.3. Exception. A courtesy card holder may not open or operate a place of business for the purpose of conducting funerals, embalmings, cremations, or selling of funeral goods. He or she may not maintain an office or agency in this state. Further, he or she may not be employed by, nor contracted by, a funeral establishment licensed by this state as a licensed embalmer or funeral director. A courtesy card holder may not prepare or embalm dead human bodies within the boundaries of the state of West Virginia. Courtesy card holders are prohibited from exhuming or disinterring bodies in the State of West Virginia. 14.4. The violation of this section shall result in the immediate revocation or cancellation of the courtesy card of the violator issued by this Board.

Nevada

Nevada does not have any courtesy card provisions

Washington

Washington State does not have "courtesy cards" per se, but we allow out of state funeral establishments to register for a Certificate of Removal. The Certificate of Removal allows the out of state funeral provider to remove human remains from Washington without obtaining a burial transit permit first. The out of state funeral provider still needs to follow Washington's regulations to file the death certificate and obtain a burial transit permit PRIOR to disposition. I have included our statutory language:

18.39.525

Certificates of removal registration.

- (1) The director shall issue a certificate of removal registration to a funeral establishment licensed in another state contiguous to Washington, with laws substantially similar to the provisions of this section, for the limited purpose of removing human remains from Washington prior to submitting a certificate of death. Licensed funeral establishments wishing to participate must: Apply to the department of licensing for a certificate of removal registration, on a form provided by the department, and pay the required application fee, as set by the director.
- (2) For purposes of this section, each branch of a registrant's funeral establishment is a separate establishment and must be registered as a fixed place of business.
- (3) Certificates of death are governed by RCW 70.58.160.
- (4) Notices of removal and disposition permits are governed by RCW 70.58.230.
- (5) The conduct of funeral directors, embalmers, or any other person employed by or acting on behalf of a removal registrant is the direct responsibility of the holder of the certificate of removal registration.
- (6) The board may impose sanctions upon the holder of a certificate of removal registration if the registrant is found to be in violation of any death care statute or rule.
- (7) Certificates of removal registration expire January 31st, or as otherwise determined by the director.

Delaware

Delaware calls it a Limited license. Here is the law:

§ 3108 Limited license.

Upon payment to the Board of a fee, established by the Division, and completion of an application on forms provided by the Board, the Board shall issue a limited license to a person who is validly licensed as a funeral director by another state of the United States, its possessions, territory, or the District of Columbia, provided that a similar privilege is granted by that jurisdiction to Delaware licensed funeral directors. A limited license will allow the licensee to make a removal of a dead human body in this State, return the body to another state or country, return dead bodies from another state or country to this State for final disposition, complete the family history portion of the death certificate, sign the death certificate in the licensee's capacity as a licensed funeral director, and execute any other procedures necessary to arrange for the final disposition of a dead human body.

Alberta

Alberta does not have any provisions that would allow courtesy cards.

DC

§ 3-415. Courtesy cards for funeral directors licensed in Maryland or Virginia.

The Mayor shall issue rules and regulations pursuant to § 3-403(i) [repealed] which shall prescribe the terms and conditions under which the District may grant courtesy cards to funeral directors duly licensed in the State of Maryland or the Commonwealth of Virginia. Courtesy cards shall be limited to authorizing a funeral director licensed in either state to enter the District for the purposes of filing the death certificate of a deceased person or transporting human remains to the state where the funeral director is licensed in order to perform funeral services. Courtesy cards shall not permit a funeral director licensed in Maryland or Virginia but not licensed in the District to maintain an office or agent in the District or to advertise in any manner in the District as practicing funeral directing in the District.

COURTESY CARD ONLY

An applicant under this section must submit the following in order to be considered for a courtesy card:

- a. An original State Board Certification verifying that the applicant is licensed by the Maryland or Virginia State Board; and,
- b. A notarized Funeral Courtesy Card Supplemental Form (6809-25)

PERMISSIBLE ACTIVITIES IN THE DISTRICT OF COLUMBIA OF FUNERAL DIRECTORS LICENSED IN MARYLAND AND VIRGINIA – COURTESY CARDS

A person licensed as a funeral director in the state of Maryland or Virginia who is not licensed as a funeral director in the District may, in compliance with the requirements of this section, be issued a courtesy card by the Board, which authorizes that person to:

- a. File in the District a death certificate of a person deceased in the District; and
 - b. Transport human remains to the state where the funeral director is licensed to perform funeral services.
- A funeral director authorized to transport human remains from the District under this section shall notify the Board in writing within five (5) days of the date the remains were transported. The notice shall state the following:
- a. The name of the decedent;
 - b. The date of death;
 - c. The date the remains were transported;
 - d. The address in the District, and the name of the hospital or funereal services establishment, if any, from which the remains were transported; and
 - e. The address in Maryland or Virginia to which the remains were transported.

Indiana

[Indiana Statutes regarding Courtesy Cards \(entire document can be found \[www.in.gov/pla/funeral.htm\]\(http://www.in.gov/pla/funeral.htm\)\):](http://www.in.gov/pla/funeral.htm)

Chapter 10. Courtesy Cards for Funeral Services

Sec. 1. As used in this chapter, "courtesy card" means a special permit issued by the board to funeral directors licensed in states that border Indiana.

Sec. 2. As used in this section, "funeral ceremonies" refer to services or rites commemorating the deceased, with the dead human body present, conducted at:

- (1) churches;
- (2) funeral homes;
- (3) cemeteries;
- (4) crematories; or
- (5) elsewhere.

Funeral ceremonies include visitations, funerals, graveside funeral services, and other similar rites or ceremonies.

Sec. 3. Beginning January 1, 2013, the board shall issue a courtesy card to an individual who is not licensed under this article as a funeral director but who is licensed or certified as a funeral director in one (1) or more states, if all of the following requirements are met:

- (1) The individual is licensed as a funeral director in a state that borders Indiana.
- (2) The bordering state issues courtesy cards or similar permits to funeral directors licensed in Indiana.
- (3) The individual completes an application for a courtesy card on a form provided by the board. The application for a courtesy card must include certification, including the seal of the state where the individual is licensed.
- (4) The individual certifies on the application that the individual has reviewed and understands materials prepared by the board for individuals seeking courtesy cards.
- (5) The individual pays the fee established under section 4 of this chapter.

Sec. 4. The board shall adopt rules under IC 4-22-2 to set the fee for the card. The fee must be sufficient to cover the cost of issuing the card. When establishing the fee, the board must consider the fees charged by states bordering Indiana that issue courtesy cards. Insofar as possible, the fees established must be consistent with the fees of the bordering states that issue courtesy cards.

Sec. 5. A courtesy card issued under this chapter is valid for a period consistent with other licenses issued by the board, to be established by the board.

Sec. 6. The holder of a courtesy card issued under this chapter is authorized to undertake the following acts of funeral directing:

- (1) Remove and transport unembalmed and embalmed deceased human bodies:
 - (A) to Indiana from; and
 - (B) from Indiana to;the state or states where the courtesy card holder is licensed as a funeral director.
- (2) Prepare and complete sections of a death certificate and other disposition permits needed for disposition of deceased human remains, and sign and file death certificates and permits.

- (3) Sign and file death certificates and other disposition permits without the assistance of or being under the supervision of a funeral director licensed under this article.
- (4) Supervise and conduct funeral ceremonies in Indiana without the assistance of a funeral director licensed under this article.
- Sec. 7. - A courtesy card holder must comply with all laws and rules of Indiana when engaged in any acts of funeral directing in this state. The board may revoke or suspend a courtesy card or subject the courtesy card holder to discipline in accordance with the laws and rules applicable to funeral directors licensed under this article. Any disciplinary measure taken by the board against a courtesy card holder must be reported by the board to the state board or agency that issued the courtesy card holder's funeral director's license or certification.
- Sec. 8. The holder of a courtesy card issued under this chapter is not authorized to undertake the following acts:
- (1) Transfer the courtesy card to another individual.
 - (2) Own or operate a funeral home, crematory, or office that provides or offers to sell or arrange funeral or disposition services in Indiana.
 - (3) Except as provided in section 6 of this chapter, perform any acts related to the practice of funeral direction in Indiana, including:
 - (A) arranging for a funeral or disposition service with members of the public;
 - (B) being employed by or contracted to perform funeral or embalming service in Indiana by a funeral home licensed under this article;
 - (C) advertising Indiana funeral or disposition services;
 - (D) executing contracts for funeral or disposition services in Indiana;
 - (E) preparing or embalming deceased human remains in Indiana, or
 - (F) exhuming or disinterring human remains in Indiana.
- As added by P.L. 95-2012, SEC. 1.
- Oklahoma**
 §59-396.28. Funeral directors and embalmers from other states – Temporary permit.
 In case of a catastrophe as declared by the executive director of the Board, funeral directors and embalmers from other states may be allowed to practice in this state. A temporary permit may be issued to those persons, and the permit shall allow the persons to practice for a length of time as determined by the Board.
- Pennsylvania**
 Pennsylvania does not have courtesy cards.
- New Jersey**
 We have agreements with the states of New York and Pennsylvania pursuant to NISA 45:7-73.1 that permit licensees "to enter into the other State for the purpose of removing, transporting and burying dead human bodies and directing funerals in the same manner as if he were registered under the laws of such other State" but the out of state funeral directors cannot hold themselves out in any way as being licensed in NJ.
- Mississippi**
 We do not issue courtesy cards.
- Minnesota**
 I have received your email regarding courtesy cards, the Minnesota Department of Health does not issue courtesy cards.
- Arkansas**
 Arkansas does not allow courtesy cards. They can reciprocate currently with a license in good standing <http://www.arkansas.gov/fdemb/pdf/17-29-310.pdf> . They are issued a temporary license number good for one year. <http://www.arkansas.gov/fdemb/pdf/rules/ARRulesAndRegs2012.pdf> Rule VIII covers the process. They have to pass our Laws, Rules, and Regulations exam and then they can receive an opportunity to have that licensed permanently.
 However, our rules will be changing that they must be licensed for a minimum of five years before they can reciprocate, so I am not sure if the Board will consider a courtesy card. I would be curious to look at the regulations and process everyone has that does allow them.
- Montana**
 I see the deadline was last Friday, but I just wanted to let you know that Montana does not allow for courtesy cards. Thanks.