

**REGULATORY RESEARCH COMMITTEE  
VIRGINIA BOARD OF HEALTH PROFESSIONS  
VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS**

***Invitation for Public Comment on the Need for a Funeral Director-Only License  
as an Additional Category of Licensure in Virginia***

The Regulatory Research Committee of the Virginia Board of Health Professions is holding a public hearing to receive comment on the relative merits of a potential separate funeral-director-only category of licensure of the Board of Funeral Directors and Embalmers will be held on May 28, 2015 beginning at 9:00 a.m. at the following address.

**Virginia Department of Health Professions  
9960 Mayland Drive, 2nd Floor Conference Center, Board Room 2  
Henrico, Virginia 23233-1463**

For map and directions, the following link is provided  
<http://www.dhp.virginia.gov/about/directions.htm>.

Comments should be framed so as to respond to the issues described in the Background and Authority section below. Written comment will be accepted until 5:00 p.m. on June 30, 2015 and should be sent to Elizabeth A. Carter, Ph.D. at the Virginia Board of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233-1463. Comment may also be sent via e-mail to [Elizabeth.Carter@dhp.virginia.gov](mailto:Elizabeth.Carter@dhp.virginia.gov) or faxed to (804) 527-4466.

**Background and Authority**

On behalf of the Department of Health Professions, the Board of Health Professions is conducting this review in response to Senator Kenneth C. Alexander's request for study and recommendations on the options for a separate potential funeral director-only license. The Board is authorized under §54.1-2510 of the *Code of Virginia* "to advise the Governor, the General Assembly, and the Director of the Department of Health Professions relating to the regulation or deregulation of health professions and occupations."

Roughly four decades ago, Funeral Directors and Embalmers were licensed in Virginia as distinct professions. Beginning in 1974, however, statutory amendments removed this option for new applicants and required that initial licenses be granted only for a Funeral Service License. This license type require competency in the full array of professional funeral practice, including embalming. Grandfather provisions allowed only those who already held separate Embalmer or Funeral Director licenses to continue to renew them and holding such licenses did not prevent application for the Funeral Service License if they met the qualifications.

As of this April 28, 2015, there were 1,760 current Funeral Service Licensees in Virginia. Only three Embalmers and 44 Funeral Directors (two of which are also Embalmers) remained. There were also 354 funeral service interns.

The Board is preparing a detailed summary of the licensure schemes employed among the states and the complaint and disciplinary information available. The Board also has available the Virginia Board of Funeral Directors and Embalmers disciplinary history by licensed professions. Additionally, public documents are posted to the Department of Health Professions Case Decision website provides access to all public notices and orders of founded disciplinary cases in Virginia. However, the variability from state-to-state in statutes and regulatory upon which complaints can be lodged precludes this study's direct comparisons across states according to their licensure scheme or otherwise.

Because there is little current, reliable and objective information on the funeral professional workforce, the Board of Health Professions recommends the Department's Healthcare Workforce Data Center institute the Board of Funeral Directors and Embalmers Workforce Survey as part of their licensure renewal process. Currently, the Department surveys 26 professions through standardized surveys. These surveys currently empirically obtain key workforce-related data that detail the demographics education, geographic distribution, full time equivalencies, and other key variables through the licensure renewal process. This same information will become available for Virginia's funeral service licensees, funeral directors, and embalmers in Virginia's workforce once the survey is launched and results are analyzed. Further the survey process, once begun, provides an ongoing means to track trends in workforce over time.

The Board is currently seeking public comment on the pros and cons of reinstating a separate funeral director-only license while also maintaining the current funeral service licensee and grandfathered separate funeral director and embalmer licenses. Specific insight is requested concerning the impact on consumers of funeral services, including the potential misunderstanding of the specific functions of the respective professions.