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|  | ***Commonwealth of Virginia*** |  |
|  | **Regulations**  **for the**  **Funeral Service Internship** **Program**  **Virginia Board of  Funeral Directors and Embalmers**  **Title of Regulations: 18 VAC 65-40-10 et seq.**  **Statutory Authority: § 54.1-2400 and**  **Chapter 28 of Title 54.1 of the *Code of Virginia***  **Revised Date: December 7, 2022**  9960 Mayland Drive, Suite 300 (804) 367-4479 (TEL)  Richmond, VA 23233-1463 (804) 939-5973 (e-FAX)  email: fanbd@dhp.virginia.gov | |

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# Part I. General Provisions.

## 18VAC65-40-10. Definitions.

In addition to words and terms defined in § [54.1-2800](https://law.lis.virginia.gov/vacode/54.1-2800/) of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Direct supervision" means that a person licensed for the practice of funeral service, funeral directing, or embalming is present and on the premises of the facility.

"Supervisor" means a licensed employee at the training site who has been approved by the board to provide supervision for the funeral intern.

"Training site" means the licensed funeral establishment, facility, or institution that has agreed to serve as a location for a funeral service internship and has been approved by the board.

## 18VAC65-40-20 to 18VAC65-40-30. [Repealed]

## 18VAC65-40-40. Fees.

A. The following fees shall be paid as applicable for registration:

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| 1. Funeral service, funeral directing, or embalming intern registration | $150 |
| 2. Funeral service, funeral directing, or embalming intern renewal | $125 |
| 3. Late fee for renewal up to one year after expiration | $45 |
| 4. Duplicate copy of intern registration | $25 |
| 5. Handling fee of $50 for returned checks or dishonored credit cards or debit cards | $50 |
| 6. Registration of supervisor | $35 |
| 7. Change of supervisor | $35 |
| 8. Reinstatement fee | $195 |

B. Fees shall be made payable to the Treasurer of Virginia and shall not be refundable once submitted.

## 18VAC65-40-50 to 18VAC65-40-80. [Repealed]

## 18VAC65-40-90. Renewal of registration.

A. The funeral service, funeral directing, or embalming intern registration shall expire on March 31 of each calendar year and may be renewed by submission of the renewal notice and prescribed fee.

B. A person who fails to renew a registration by the expiration date shall be deemed to have an invalid registration. No credit will be allowed for an internship period served under an expired registration.

C. The funeral service, funeral directing, or embalming intern is responsible for notifying the board within 14 days of any changes in name, address, employment, or supervisor. Any notices shall be validly given when mailed to the address on record with the board. Renewal notices may be mailed or sent electronically.

## 18VAC65-40-100. [Repealed]

## 18VAC65-40-110. Renewal or reinstatement of expired registration.

A. A funeral service, funeral directing, or embalming intern whose registration has expired may be renewed within one year following expiration by payment of the current renewal fee and the late renewal fee.

B. A funeral service, funeral directing, or embalming intern whose registration has been expired for more than one year shall apply for reinstatement by submission of an application and payment of a reinstatement fee. The board may consider reinstatement of an expired registration for up to three years following expiration.

C. When a registration is not reinstated within three years of its expiration date, a new application for registration shall be filed and a new internship begun.

## 18VAC65-40-120. [Repealed]

# Part II. Funeral Service Internship Requirements.

## 18VAC65-40-130. Funeral service internship.

A. An internship for funeral service, funeral directing, or embalming shall consist of at least 2,000 hours of training to be completed within no less than 12 months and no more than 48 months. The board may grant an extension of time for completion of an internship only for extenuating circumstances.

B. The intern shall be assigned a work schedule of not less than 20 hours nor more than 60 hours per week in order to receive credit for such training. For good cause shown, the board may waive the limitation on an intern's work schedule.

C. A funeral service intern shall receive training in all areas of funeral service.

D. A funeral service intern shall be identified to the public as a funeral service intern in a title used, name tag worn, and any correspondence or communication in which the intern's name is used.

A funeral directing intern shall receive training in all areas of funeral directing, including assisting in at least 25 funerals, 25 arrangement conferences, as well as visitations and financing of funeral services.

E. An embalming intern shall receive training in all aspects of embalming practice, including assisting in at least 25 embalmings, as well as treatment, restorative art, safety and sanitation, and organ, tissue, or anatomical donation.

F. An intern registration shall expire upon issuance by the board of a license to practice as a funeral service licensee, a funeral director, or an embalmer. When an internship has been completed for licensure as a funeral director or as an embalmer, the approval of an additional internship to meet the requirements for licensure as a funeral service licensee may be approved by the board in accordance with § [54.1-2817](https://law.lis.virginia.gov/vacode/54.1-2817/) of the Code of Virginia and the regulations of the board. Any additional internship granted shall be limited in duration to the time required for completion of hours and cases required for licensure. An internship may not be used to expand the scope of practice of a licensee.

G. An intern shall be identified to the public as a funeral service intern, a funeral directing intern, or an embalming intern in a title used, name tag worn, and any correspondence or communication in which the intern's name is used.

## 18VAC65-40-140 to 18VAC65-40-170. [Repealed]

## 18VAC65-40-180. Intern application for funeral service licensure.

A. Any person who meets the qualifications of §54.1-2817 of the Code of Virginia may seek registration with the board as a funeral service intern by submission of an application package, which shall include documentation of the qualifications and signatures of any supervising licensees.

B. Applicants shall submit school transcripts as part of an application package, including the required fee and any additional documentation as may be required to determine eligibility.

## 18VAC65-40-185. Intern application for funeral directing or embalming licensure.

A. An applicant who attests to holding a high school diploma or its equivalent may seek registration with the board as a funeral directing or an embalming intern by submission of an application package, which shall include documentation of the qualifications and signatures of any supervising licensees.

B. Applicants shall submit school transcripts as part of an application package, including the required fee and any additional documentation as may be required to determine eligibility.

C. The board, in its discretion, may approve an application to be a funeral directing or an embalming intern for an individual convicted of a felony, if the applicant has successfully fulfilled all conditions of sentencing, been pardoned, or has had civil rights restored. The board shall not, however, approve an application to be an intern for any person convicted of embezzlement or of violating subsection B of § [18.2-126](https://law.lis.virginia.gov/vacode/18.2-126/) of the Code of Virginia. The board, in its discretion, may refuse to approve an application to be a funeral directing or an embalming intern for an individual who has a criminal or disciplinary proceeding pending against him in any jurisdiction in the United States.

## 18VAC65-40-190 to 18VAC65-40-200. [Repealed]

## 18VAC65-40-201. Failure to register.

If the internship is not approved by the board prior to initiation of training, no credit shall be allowed for the length of time served.

## 18VAC65-40-210. Training sites.

A. Funeral training shall be given at the licensed funeral service establishment or at any branch of such establishment that complies with the provisions of this chapter and is approved by the board as a training site.

B. An individual, firm, or corporation owning or operating any funeral service establishment shall apply to and be approved by the board prior to permitting funeral training to be given or conducted in the establishment.

## 18VAC65-40-220. Qualifications of training site.

A. The board shall approve only an establishment or two combined establishments to serve as the training site or sites that:

1. Have a full and unrestricted Virginia license;

2. Have complied in all respects with the provisions of the regulations of the Board of Funeral Directors and Embalmers; and

3. For a funeral service internship, have 50 or more funerals and 50 or more bodies for embalming over a 12-month period for each person to be trained. This total must be maintained throughout the period of training. If the establishment does not meet the required number of funerals or embalmings, the funeral service intern may seek approval for an additional training site; or

4. For a funeral directing internship, have 50 or more funerals over a 12-month period for each person to be trained. This total must be maintained throughout the period of training. If the establishment does not meet the required number of funerals, the funeral directing intern may seek approval for an additional training site; or

5. For an embalming internship, have 50 or more bodies for embalming over a 12-month period for each person to be trained. This total must be maintained throughout the period of training. If the establishment does not meet the required number of embalmings, the embalming intern may seek approval for an additional training site.

B. The board may grant approval for an intern funeral service or an embalming intern to receive all or a portion of the embalming training at a facility of state or federal government or an accredited educational institution.

## 18VAC65-40-230 to 18VAC65-40-240. [Repealed]

## 18VAC65-40-250. Requirements for supervision.

A. Training shall be conducted under the direct supervision of a licensee approved by the board. Credit shall only be allowed for training under direct supervision.

B. The board shall approve only funeral service licensees, licensed funeral directors, or licensed embalmers to give funeral training who have a full and unrestricted Virginia funeral license, have at least two consecutive years in practice as a funeral service licensee, funeral director, or embalmer and are employed full time in or under contract with the establishment, facility, or institution where training occurs. The board will not approve registration of a supervisor who has been subject to board disciplinary action within the most recent two years.

C. A supervisor licensed as an embalmer or a funeral director shall provide supervision only in the areas of funeral practice for which he is licensed. A supervisor shall ensure that an intern receives training under the direct supervision of a licensee who has a current license in good standing.

D. A supervisor shall register with the board for each intern for whom the supervisor is providing supervision. Such registration shall expire 48 months after registration or at the completion of the intern's training, whichever occurs first. If the intern has been granted an extension beyond 48 months for extenuating circumstances, the supervisor may continue to provide supervision for a time period specified by the board.

E. Failure to register as a supervisor may subject the licensee to disciplinary action by the board.

F. If a supervisor is unable or unwilling to continue providing supervision, the intern shall obtain a new supervisor. Credit for training shall resume when a new supervisor is approved by the board and the intern has paid the prescribed fee for the change of supervisor.

G. No more than a combined total of two funeral service, funeral directing, or embalming interns shall be concurrently registered under any one person licensed for the practice of funeral service, funeral directing, or embalming. Each supervisor for a registered funeral directing intern or a registered embalming intern must be actively employed by or under contract with a funeral establishment.

## 18VAC65-40-260 to 18VAC65-40-270. [Repealed]

## 18VAC65-40-280. Supervisor application package.

A. A licensee seeking approval by the board as a supervisor of an intern shall submit a completed application and any additional documentation as may be required to determine eligibility for each intern to be supervised.

B. The application for supervision of a funeral service, a funeral directing, or an embalming intern shall be signed by the establishment manager and by the persons who will be providing supervision for embalming, for funeral directing, or for funeral services.

## 18VAC65-40-290. through 18VAC65-40-310. [Repealed]

## 18VAC65-40-320. Reports to the board: six-month report; partial report.

A. The intern, the supervisor or supervisors, and the establishment shall submit a written report to the board at the end of every 1,000 hours of training. The report shall:

1. Specify the period of time in which the 1,000 hours has been completed and verify that the intern has actually served in the required capacity during the preceding period; and

2. Be received in the board office no later than 14 days following the end of the completion of 1,000 hours.

B. If the internship is terminated or interrupted prior to completion of 1,000 hours or if the intern is changing supervisors or training sites, the intern and the supervisor shall submit a partial report to the board with a written explanation of the cause of program termination or interruption or of the change in training or supervision.

1. The partial report shall provide the amount of time served and the dates since the last reporting period. Credit for partial reports shall be given for the number of hours of training completed.

2. Partial reports shall be received in the board office no later than 14 days after the interruption or termination of the internship or after the change in supervisors or training sites.

C. An intern shall not receive credit for training hours on a new 1,000-hour report until the previous 1,000-hour report has been approved by the board.

D. Credit shall not be allowed for any period of internship that has been completed more than three years prior to application for license or more than five years prior to examination for license. If all requirements for licensure are not completed within five years of initial application, the board may deny an additional internship. A funeral directing or an embalming intern may continue to practice for up to 90 days from the completion of internship hours or until the intern has taken and received the results of all examinations required by the board. However, the board may waive such limitation for any person in the armed service of the United States when application for the waiver is made in writing within six months of leaving service or if the board determines that enforcement of the limitation will create an unreasonable hardship.

## 18VAC65-40-330. Failure to submit training report.

If the intern, supervisor, or establishment manager fails to submit the reports required in 18VAC65-40-320, the intern may forfeit all or partial credit for training or disciplinary action may be taken against the intern, supervisor and establishment manager.

# Part III. Internship: Funeral Supervisors' Responsibilities.

## 18VAC65-40-340. Supervisors' responsibilities.

A. The supervisor shall provide the intern with all applicable laws and regulations or sections of regulations relating to the funeral industry.

B. The supervisor shall provide the intern with copies of and instruction in the use of all forms and price lists employed by the funeral establishment.

C. The supervisor shall provide the funeral service or funeral directing intern with instruction in all aspects of funeral services and shall allow the intern under direct supervision to assist in conducting a minimum of 25 funerals.

D. The embalming supervisor shall provide instruction on all necessary precautions, embalming functions, and reporting forms and shall allow the funeral service or embalming intern under direct supervision to assist in the performance of a minimum of 25 embalmings.

E. The supervisor shall provide the funeral service or funeral directing intern with instruction in making preneed funeral arrangements and instruction on the laws and regulations pertaining to preneed funeral contracts and disclosures.

F. The supervisor shall provide the funeral service or funeral directing intern instruction on cremation and on the laws and regulations pertaining to cremation.

G. If a training site does not offer preneed funeral planning or cremation services, the supervisor shall arrange for such training at another licensed funeral establishment that does.

## 18VAC65-40-350 to 18VAC65-40-630. [Repealed]

# Part IV. Refusal, Suspension, Revocation, and Disciplinary Action.

## 18VAC65-40-640. Disciplinary action.

The board may refuse to issue or renew a license, registration, or approval to any applicant; and may suspend for a stated period of time or indefinitely, or revoke any license, registration, or approval, or reprimand any person, or place his license or registration on probation with such terms and conditions and for such time as it may designate or impose a monetary penalty for failure to comply with the laws and regulations of the Board of Funeral Directors and Embalmers.