



DEPARTMENT OF
HEALTH PROFESSIONS
6603 W. Broad Street
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804/662-9907

Robert Nebiker, Director
DHP

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2003-2004

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Letter from the President of the Board

It is a great pleasure to serve as the President of the Virginia Board of Funeral Directors and Embalmers for this year. The funeral service industry is in an exciting period of time. Not only are technological advances in services and procedures propelling the industry forward, but changes in the regulatory environment are progressing as well.

With the enactment of a continuing education law in 2002 and the approval of regulations on July 2, 2003, funeral service licensees will be required to provide evidence of continued education in the license renewal. The continuing education requirements for our licensees ensure safe and competent licensees for the general public.

With increased technological advances, funeral service providers have begun to examine different ways of providing services to their clients. The internet has become one of the main vehicles used by the Board to communicate with its licensees. Within the website – www.dhp.state.va.us/fde, inquirers may find all license applications, newsletters, past disciplinary actions of licensees and regulations for the practice of funeral service in Virginia. Also, licensees are beginning to use the Internet more to provide traditional services to new clients in a vastly changing technological world.

As I begin to serve my last year on the Board, I am very proud to say that the Virginia Board of Funeral Directors and Embalmers has been responsive to the needs of not only its licensees, but more importantly, the citizens of the Commonwealth of Virginia. The Board will continue to seek proactive means of providing the most efficient and effective services to all parties.

Bobby Gardner, Sr.
President
Virginia Board of Funeral Directors and Embalmers

**CONGRATULATIONS
TO THE FOLLOWING
FUNERAL SERVICE
LICENSEES WHO
PASSED THE STATE
EXAMINATION
(from 7/1/02 to 6/30/03)**

William Adams
John Anderson
William Arritt
James Aultman
Robert Baker IV
Kaija Barlow
Christy Boor
Travis Boor
Edward Bunch
Gary Butler
Charles Caldwell
Michael Cambron
April Calkins
Daniel Chapman
Bertram Davis
Richard Denyer
William Early
Tamir Faison
Joseph Fields
Strother Fulcher
Wendy Givens
Leah Harris
Sara Heath
Charles Hite
Anthony Hix
Randolph Horton
Bradley Howdyshell
Merril Howrey
Judith Johnson
Stacy Krieger
Maureen Larsen
Negie Marucci
Dan Mason
Chavela Painter
William Perkins
Kelly Ratcliff
Yvonne Rhodes
Barry Robinson
Gary Robinson
Mark Sauvageot
Michael Scott
Paul Sheridan
Sarae Sibilia
Andrew Smith
John Smith
Donna Snowden
Teresa Spann
Richard Thompson
Chondra Thornhill
Murrell Thornhill IV
Richard Toker
Jarrett Vance
Melissa Wilcox
Melissa Xander

CONTINUING EDUCATION REGULATIONS BECOME EFFECTIVE

On July 2, 2003, the regulations governing continuing education for funeral service licensees, funeral embalmers, and funeral directors became effective. The law provides that the Board shall not mandate more than five hours per renewal period directly related to the respective license and scope of practice of funeral service. The law for the granting of continuing education credits for courses for which the purpose is to promote, sell, or offer goods. Products or services are not acceptable for continuing education credits. Regulations and general information about continuing education were mailed to all licensees in June of 2003.

General Questions and Answers about Continuing Education Requirements for Funeral Service Licensees

1. When must I have the required number of continuing education hours completed in order to renew my license per year?

With the renewal of licensure on March 31, 2004, licensees will be required to complete at least 5 contact hours of continuing education per year.

2. Am I required to send in evidence of my continuing education hours at the time I renew?

No. The Board will randomly select licensees for a post renewal audit. Licensees are required only to attest to the completion of required hours. If selected, you would be notified by mail that documentation is required and a time frame given within which to comply.

3. When do the continuing education requirements begin?

The regulations become effective July 2, 2003. Hours must be obtained within one year immediately preceding renewal in 2005. You may not count any hours obtained prior to March 31, 2004, nor may you carry over excess hours to the following year.

4. Who maintains the required documents for verification of continuing education?

It is the licensee's responsibility to maintain certificates and any other continuing education records for two years following the renewal of an active license. Do not send any forms or documents to the Board unless requested to do so.

5. Where do I obtain the instructions and forms for continuing education requirements?

Regulations, forms and instructions may be obtained from the Board or downloaded from the Board's website at www.dhp.state.va.us/fde. Forms may also be photocopied.

6. How are continuing education hours calculated?

Each unit hour is calculated based on 60 minutes of participation in an activity.

7. What if I am newly licensed during the 2004-2005 renewal year? Do I still have to obtain the full 5 hours of continuing education?

No, a licensee shall be exempt from continuing education requirements for the first annual renewal following the date of initial licensure.

8. What if I become ill or incapacitated and unable to complete my continuing education requirements prior to renewal?

Upon written request from the licensee explaining the circumstances, the Board may grant an exemption or waiver in cases of certified illness or undue hardship.

9. What if I am now retired and do not want to obtain continuing education hours but don't want to give up my license?

You may request an inactive license from the Board, beginning with the renewal of March 31, 2004. It is important to note that **holding an inactive license does not authorize the licensee to engage in the practice of funeral service in Virginia**. If you intend to practice at all in Virginia, even on a part-time or non-compensatory basis, you must retain your active license.

10. What happens if I take an inactive licensure status and later wish to reactivate?

A licensee seeking to reactivate a license must file a reinstatement application and pay the difference between the inactive and active renewal fees for the current renewal. He or she must provide documentation of having completed continuing education hours equal to the requirement for the number of years not to exceed two years, in which the license has been inactive.

CONTINUING EDUCATION SPONSORS

CEU APPROVED SPONSORS: Practicum Strategies (Tennessee)

Pursuant to regulation (18 VAC 65-20-152), the following are also approved CE sponsors who have registered with the Board: Association of Independent Funeral Homes of Virginia, Community College of Baltimore, Maryland, D.C. Funeral Director Association, National Funeral Directors and Morticians Association, Virginia Funeral Directors Association, National Funeral Directors Association, Norfolk State University, and Virginia Morticians Association.

NEW BOARD MEMBERS	2003-2004 EXAMINATION SCHEDULE	
<p>On July 1, 2003, Governor Warner appointed Billie Watson Hughes, of Alexandria to replace Charles Bristow. She works for Greene Funeral Home. Mr. Barry M. Murphy of Oakton was appointed to replace Robert "Bob" Oman and is an owner of Robert J. Murphy Funeral Home. The third recent appointee is Willard D. "Skip" Tharp of Bedford who replaced Paul Whitten. Mr. Tharp owns Carder-Tharp Funeral Home and Crematory.</p> <p>The Board sincerely thanks Mr. Bristow, Mr. Oman and Mr. Whitten for their contributions to the Board. All three members served as President during their tenure on the Board.</p>	<p>February 10, 2004 Norfolk March 31, 2004 Lynchburg April 7, 2004 Richmond May 12, 2004 Richmond June 8, 2004 Norfolk July 28, 2004 Lynchburg August 11, 2004 Richmond September 14, 2004 Norfolk October 27, 2004 Lynchburg November 17, 2004 Richmond December 14, 2004 Norfolk</p>	<p>* Applications and required documents must be received at least 30 days prior to the examination date.</p>

CHANGES OF ADDRESS/NAME CHANGES/E-MAIL CHANGES

Do not forget to keep the Board advised of changes in addresses. This can now be done by e-mail to the Board at fanbd@dhp.state.va.us or by letter faxed to (804) 662-9523. Name change notifications must include an official document certifying the name change, i.e. court decree.

MY LICENSE (WEB BASED RENEWAL SYSTEM)

Beginning with the 2004 renewals, licensees will have the opportunity to renew their licenses through the Internet and perform other functions relating to their licenses. DHP has developed an interactive licensing system to renew, change address, request a duplicate and/or verify a license. You will receive additional information regarding this new feature at least 45 days prior to the renewal of licenses in 2004.

UPCOMING BOARD MEETINGS FOR 2003				
DATE	TIME	TYPE OF MEETING	DETAILS	LOCATION
2/4/04	9:00 a.m.	Legislative/Regulatory Committee	To discuss possible legislative and/or regulatory for the practice of funeral service	6603 W. Broad St., 5 th Floor, Room #1
2/25/2004	9:00 a.m.	Special Conference Committee	Informal Hearings	6603 W. Broad St., 5 th Floor, Room #1
3/9/2004	9:00 a.m.	Board Meeting	Discuss general Board business and issues.	6603 W. Broad St., 5 th Floor, Room #1
3/9/2004	1:00 p.m.	Formal Hearings	Formal Hearings	6603 W. Broad St., 5 th Floor, Room #1
3/24/2004	9:00 a.m.	Special Conference Committee	Informal Hearings	6603 W. Broad St., 5 th Floor, Room #1
4/28/2004	9:00 a.m.	Special Conference Committee	Informal Hearings	6603 W. Broad St., 5 th Floor, Room #1
5/7/2004	9:00 a.m.	Legislative/Regulatory Committee	To discuss possible legislative and/or regulatory for the practice of funeral service	6603 W. Broad St., 5 th Floor, Room #1
5/26/2004	9:00 a.m.	Special Conference Committee	Informal Hearings	6603 W. Broad St., 5 th Floor, Room #1
6/1/2004	9:00 a.m.	Board Meeting	Discuss general Board business and issues.	6603 W. Broad St., 5 th Floor, Room #1
6/1/2004	1:00 p.m.	Formal Hearings	Formal Hearings	6603 W. Broad St., 5 th Floor, Room #1

To find out if a meeting has been cancelled or rescheduled, please call the Board's office at 804/662-9907.

NEWS FROM THE INTERNATIONAL CONFERENCE

The International Conference of Funeral Service Examining Boards Inc. recently approved changes to scoring procedures for the National Board Examination ("the NBE"). Effective January 1, 2004, candidates must obtain a minimum scaled score of 75 on both the Arts and the Science sections in order to pass the NBE. Formerly, the scores of both sections were averaged to reach the score of 75. Later in 2004, the NBE will be converted from a paper/pencil format to a computer based format.

DISCIPLINARY ACTIONS

- **Grant Bryant, FSL**

Findings: Aided and abetted unlicensed activity and was cited for several inspection deficiencies.

Sanction: Voluntarily surrendered of license and an indefinite suspension to renew license.

Order Entered: October 25, 2002

- **Keith Bullock, FSL**

Findings: Convicted of a felony.

Sanctions: Suspended license

Order Entered: February 25, 2003

- **Matthew Cornish, FSL**

Findings: Dishonored check.

Sanctions: Suspended license

Order Entered: January 6, 2003

- **Cornish and Holland Funeral Home**

Findings: Dishonored check.

Sanctions: Suspended license

Order Entered: January 6, 2003

- **Carlos Howard, FSL**

Findings: Failed to file death certificates in a timely manner.

Sanction: Continued on probation

Order Entered: April 1, 2003

- **Carlos Howard Funeral Home**

Findings: Violated previous order, failed to pay past monetary penalty in timely manner, failed to file death certificates in a timely manner, and failed to submit vital statistic reports in a timely manner.

Sanction: Continued on probation, at least 2 unannounced inspections, monetary penalty

Order Entered: April 3, 2003

- **Velma Johnson, FSL**

Findings: Cited deficiencies during unannounced inspection, failed to submit vital statistics reports in a timely manner.

Sanction: Reprimand and monetary penalty

Order Entered: April 3, 2003

- **Frank Rodriguez, FSL**

Findings: Cited deficiencies during routine inspection and failed to correct inspection deficiencies from 1999.

Sanction: Reprimand and monetary penalty

Order Entered: April 21, 2003

- **Rodriguez-Pocahontas Union Funeral Home**

Findings: Cited deficiencies during routine inspection and failed to correct inspection deficiencies from 1999.

Sanction: Reprimand and monetary penalty

Order Entered: April 21, 2003

- **Theodore Sweitzer, FSL**

Findings: Executed and failed to sign Statement of Funeral Goods and Services and Purchase Agreement

Sanction: Reprimand and monetary penalty

Order Entered: April 30, 2003

- **George Turner, FSL**

Findings: Allowed a resident trainee to make funeral arrangements unsupervised and cited for probation violations.

Sanctions: Reprimand, continued probation, and monetary penalty.

Order Entered: October 13, 2002

- **Paul Wilson, FSL**

Findings: Failed to obtain waste disposal service contract for the funeral home and failed to complete embalming reports.

Sanctions: Reprimand, required to obtain a waste disposal service contract, revision of embalming reports, one unannounced inspection, and monetary penalty

Order Entered: July 31, 2002

- **Stafford Woodall, FSL**

Findings: Misappropriated company funds, practiced funeral service without a valid license and aided and abetted unlicensed activity.

Sanctions: Suspension of license for six months, probation, at least one unannounced inspection, and a monetary penalty.

Order Entered: December 17, 2002

- **David Zombro, FSL**

Findings: Failed to properly train, educate, evaluate and manage employees regarding preneed contracts.

Sanctions: Reprimand and monetary penalty

Order Entered: September 25, 2002

INFORMATION FROM DIVISION OF VITAL RECORDS

Letter from Deborah Little-Bowser, State Registrar

**RE: Completion of Death Certificates
Social Security Numbers
Regulations - Final**

It has been brought to my attention by the National Center for Health Statistics (NCHS) that Virginia is not compliant in fully completing death certificates. The most common item left blank is to the right of field #7, Name of Hospital or Institution of Death (DOA, Outpatient/ER, Inpatient). These data are collected and used for statistical purposes and are part of our contractual agreement with NCHS. If a decedent died in a hospital or was pronounced dead in a hospital, please be sure to fill in the appropriate box for decedent's hospital status. This information can be obtained when you get the call to pick up the body. Staff from vital records will be sending you copies of submitted death certificates that did not contain the above data. All involved parties will appreciate your cooperation.

Your assistance is also appreciated when placing social security numbers on the certificate. Inaccurate social security numbers may cause delays in survivors receiving benefits. It is suggested that the informant provide you with evidence of the decedent's social security number. The following documents are suggested: social security card, Medicare/Medicaid card, paycheck stub or other similar documents, which contain the number.

The final version of the Rules and Regulations Governing Vital Records will go into effect October 8, 2003. Due to limited funding, we ask that you download and review them. The website is www.townhall.state.va.us. The section is 12 VAC 5-550.

If you have any questions, please contact me at (804) 662-6207 or via email at dlittle@vdh.state.va.us.

Other changes at the Division of Vital Records:

One of the major changes in the Department of Health regulations is 12 VAC 5-550-110 relating to death certificates. The regulation requires the signature of the funeral service licensee and his/her number. The person legally filing the certificate cannot be accepted.

New Regulations Effective January 28, 2004

New general regulations for Funeral Directors and Embalmers (18 VAC 65-20-10 et. Seq.) will become effective January 28, 2004. The following is summary of the amendments to the regulations:

- Establishes a definition of a branch establishment
- Clarifies that any location within the establishment where the license would be conspicuous to the consumers of the funeral service is an acceptable location
- Lowers fee for a duplicate license to \$15 and fee for a duplicate wall certificate to \$25
- Adds fee of \$100 for granting a waiver for the full-time manager requirement
- Requires submission of documentation to determine change of ownership of funeral service establishment
- Requires the **application for licensure** of a branch or chapel to specify the name of the main establishment
- Clarifies that the credentials of the applicant applying for endorsement shall be substantially similar to those required by Virginia at the time the person was initially licensed in another state
- Requires surface transportation and removal companies employees be trained in the requirements for the Occupational Safety and Health Administration (OSHA).
- Clarifies that inventories of embalming and preparation materials must not only be in containers that impervious to water and provide protection from contamination, but must also be stored in a manner that provides such protection.
- Requires the table in the preparation room to be made of material impervious to water, such as fiberglass
- Allows an electric aspirator or hydroaspirator equipped with a vacuum breaker in the preparation room
- Requires the funeral establishment to provide the Board or its inspectors with evidence of a contract with a medical waste disposal company
- Allows the embalming reports to be retained at the site of the embalming
- Requires on the General Price list to allow for a single charge for embalming if the charges for embalming of normal remains and one for autopsied remains is the same
- Clarifies the section for price range for immediate burial with alternative container and adds section of immediate burial with lowest price casket.
- Clarifies the section for direct cremation to show cost for cremation with alternative container or lowest price casket
- Removes the signature of receiving funeral director from the embalming form

You may review and/or download the entire set of regulations from our website at www.dhp.state.va.us.

