MEMORANDUM OF UNDERSTANDING

Between
The Virginia Department of Health Professions
and the Board of Funeral Directors and Embalmers
and
The Virginia Department of Agriculture and Consumer Services

This is a memorandum of understanding between the Virginia Department of Health Professions, and the Board of Funeral Directors and Embalmers, and the Virginia Department of Agriculture and Consumer Services.

PURPOSE

The purpose of this memorandum is to establish methods of exchange of information that will maximize cooperation between the two regulatory authorities in promoting effective regulation of the sale of funeral and cemetery goods and services.

AUTHORITY

The statutory authority for the Virginia Department of Health Professions, and the Board of Funeral Directors and Embalmers is Chapters 1, 24, 25 and 28 of Title 54.1.Code of Virginia. The statutory authority for the Virginia Department of Agriculture and Consumer Services is found in part in Chapters 3 and 3.1 of Title 3.1., and Chapter 3 of Title 57, and Chapter 17 of Title 59.1 of the Code of Virginia.

AGREEMENT

The Director of the Department of Health Professions through the Deputy Director of Enforcement will provide the Program Manager for the Office of Consumer Affairs (OCA), Division of Consumer Protection, with the following information:

1. A copy of any complaint or report which alleges a possible violation of law or regulation by an individual or entity in the sale of goods, services, or plots, the maintenance of cemeteries or the trusting of funds for such purposes as involving a cemetery in Virginia.

2. In the event that any complaint or report involves an individual or entity subject to regulation by the Board of Funeral Directors and Embalmers also involves a cemetery subject to the jurisdiction of Department of Agriculture and Consumer Services, Department of Health Professions investigator assigned to the case will contact the Manager of the OCA Regulatory Programs Unit at the Department of Agriculture and Consumer Services and coordinate investigatory efforts and sharing of information to the extent permitted by law.

3. In addition to the above, upon request of the Department of Agriculture and Consumer Services, the Department of Health Professions will provide technical assistance and consultation when requested for meetings, workshops, training sessions or regulation reviews on matters of mutual interest.

The Department of Agriculture and Consumer Services through the Program Manager for the Office of Consumer Affairs, Division of Consumer Protection, agrees to provide to the Deputy Director of Enforcement for the Department for Health Professions the following:

1. A copy of any complaint or report which alleges a possible violation of law or regulation by an individual or entity in the sale of funeral goods or services, or the trusting of funds for such services involving any funeral licensee, funeral director or embalmer in Virginia.

2. In the event that any complaint or report involves an individual or entity subject to regulation by the Department of Agriculture and Consumer Services also involves any individual or entity subject to the jurisdiction of the Board of Funeral Directors and Embalmers, the Department of Agriculture and Consumer Services investigator will contact the Director of Enforcement at the Department of Health Professions and will coordinate investigatory efforts and sharing of information to the extent permitted by law.

3. In addition to the above, upon request of the Department of Health Professions, the Department of Agriculture and Consumer Services will provide technical assistance and consultation when requested for meetings, workshops, training sessions, or regulation reviews on matters of mutual interest.

Both agencies further agree to periodically review the content of this memorandum. Both agencies reserve the right to request revisions to the memorandum. The memorandum shall take effect on the latest date it is signed by designated representatives of both agencies. Both agencies reserve the right to cancel the memorandum after giving 60 days notice to the other agency.

J. Carlton Courter, III, Commissioner
Department of Agriculture and Consumer Services

5/1/98
Date

John W. Hasty, Director
Department of Health Professions

5/8/98
Date

Robert Oman, President
Board of Funeral Directors and Embalmers

5/11/98
Date

COMMONWEALTH of VIRGINIA

Department of Health Professions

Elizabeth Young Tisdale
Executive Director
Board of Audiology and
Speech-Language Pathology.....804-662-7390
Board of Funeral Directors and Embalmers.....804-662-9907
Board of Nursing Home Administrators.....804-662-9111

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May 18, 1998

Robert E. Colvin, Ph.D., Program Manager
Office of Consumer Affairs
Division of Consumer Protection
Virginia Department of Consumer Services
1100 Bank Street, Suite 100
Richmond, Virginia 23219

RE: Memorandum of Understanding

Dear Mr. Colvin:

Enclosed please find an original version of the Memorandum of Understanding of May 1998 between the Board of Funeral Directors and Embalmers ("the Board") of the Department of Health Professions and the Virginia Department of Agriculture and Consumer Services. The Board looks forward to the positive working relationship with your department and the sharing of information related to cemeteries or the trusting of funds for such purposes.

Should you have any questions or concerns, please contact me at (804) 662-9907.

Sincerely,

Elizabeth Young Tisdale
Executive Director

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Enclosure