

From: Virginia Board of Funeral Directors and Embalmers
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Virginia Board of Funeral Directors and Embalmers

NEWS BRIEF – November 2020

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COVID-19 Related Information and Updates

Virginia Veterans Cemeteries – COVID-19 Protocols (November 18, 2020)

Please see the [attached correspondence](#) from Michael Henshaw, Director of Virginia State Veterans Cemeteries, regarding COVID-19 protocols at Virginia's three state veterans' cemeteries in Suffolk, Dublin and Amelia.

Funeral Gatherings

Governor Northam recently issued Amended Executive Order 67 (November 13, 2020) with additional measures to mitigate the spread of COVID-19 virus. **To view the most recent Executive Orders related to gatherings and emergency restrictions including [Amended Executive Order 67](#), please [click here](#).**

Licensees should continue to follow the orders of the Governor during this time of emergency and use their best professional judgment when considering the implications of the virus and gatherings of individuals.

Where licensees have questions about the virus and ways to protect oneself and others, licensees are encouraged to review information from the Virginia Department of Health (<https://www.vdh.virginia.gov/>) and the Centers for Disease Control (<https://www.cdc.gov/coronavirus/2019-ncov/faq.html#funerals>).

Website Updates

The Board routinely updates information on its website that is of interest to licensees related to the COVID-19 pandemic. Please visit the Board's COVID-19 Announcements page at: <https://www.dhp.virginia.gov/funeral/covid19Info.htm>.

Reminder: Important Information from the Office of the Chief Medical Examiner (OCME)

Updated Cremation Module Information (August 2020)

The Office of the Chief Medical Examiner (OCME) has provided the following information about recent changes to the Cremation Module in EDRS.

For over a year, OCME worked with Vital Records and organizations representing the funeral industry to develop and implement a module in the Electronic Death Record System (EDRS) to authorize cremations electronically when requested. This module will improve the efficiency of the cremation authorization process and address issues raised by VDH internal audit regarding prompt and complete review as well as duplication of effort. Recommendations and testing by local medical examiners, funeral directors, and OCME district staff were essential in module development.

Implementation of the electronic cremation module occurred on June 22, 2020 and only electronic cremation authorizations are valid for deaths occurring after that date. The system assures that only active appointed medical examiners are able to authorize cremation and supports timely review by assistant chief medical examiners. Additionally, it eliminates redundant examination for medical examiner cases by requiring cremation authorization by the medical examiner performing the official medicolegal death investigation and examination.

We are still working with Vital Records to institute an electronic payment system for cremation and other medical examiner services. Until this system is in place, please continue to arrange payment with the local medical examiners and/or district offices

The [attached powerpoint](#) is a guide for using the electronic cremation module.

Ensuring the Active Status of Local Medical Examiners

In March, 2020, the OCME sent correspondence to the Board to remind licensees to ensure that the Medical Examiners completing cremation authorizations are active Medical Examiners. To view the correspondence from the OCME, [click here](#).

Aiding and Abetting Unlicensed Practice (Guidance Document 65-4)

Contact by or Services Provided for Entities Not Licensed in Virginia

Periodically, the Board receives inquiries about unlicensed out-of-state entities that promote funeral services in Virginia, or who attempt to contract for services with Virginia-licensed establishments or Virginia-registered Surface Transportation and Removal providers.

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 .

Pending Board Action – Licensure of Funeral Directors and Embalmers

SB 1044: Licensure of Funeral Directors and Embalmers

Stage: [Emergency Regulations and Notice of Intended Regulatory Action \(NOIRA\)](#)

Summary: SB 1044 (Ch. 943 of the 2020 Acts of Assembly) directs the Board of Funeral Directors and Embalmers to promulgate regulations that establish requirements of licensure for funeral directors and embalmers.

Status: At Secretary's Office

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

Facility Inspections Report – Most Common Deficiencies from 2019

In 2019, a total of 194 facilities (main establishments, branch establishments, and crematories) were inspected by Senior Inspectors from the Department of Health Professions. Of the facilities inspected:

- 84.3% of crematories had no cited deficiencies; and
- 49% of main and branch establishments had no cited deficiencies.

Nearly half of all deficiencies cited (48%) related to the General Price List (incorrect prices/price ranges, incorrect or missing disclosures, or incorrect/missing information). The most frequently cited violations in 2019 are listed in the following table:

Regulation	Deficiency(ies) Cited
18VAC65-20-630	The price ranges for Direct Cremation and Immediate Burial in the General Price List (GPL) are not calculated correctly. Immediate Burial: Prices should range from the immediate burial package with container provided by purchaser to the immediate burial package plus the most expensive casket. Direct Cremation : Prices should range from direct cremation with a container provided by the purchaser to the price for direct cremation plus the most expensive wooden casket acceptable for cremation or the most expensive cremation casket.
18VAC65-20-630	The price ranges on the GPL for caskets and outer burial containers do not match the highest and lowest costs of those products and the Casket Price List (CPL) and Outer Burial Container Price List (OBCPL).
18VAC65-30-70	The alphabetical or chronological preneed listing does not have all required information.
18VAC65-20-510	The decedent file did not contain an authorization reflecting express permission to embalm by next of kin.
18VAC65-20-540	Preparation room walls and floor joints are not tight. The floor and wall surfaces are not impervious to water.
18VAC65-20-630, Appendix I, II, II	The required disclosures and the Itemized Statements, GPL, CPL, and OBCPL are not worded exactly as required by the Federal Trade Commission (FTC).
18VAC65-20-510	The embalming report does not contain all of the required information.

UPDATED INSPECTION FORM: The Board recently updated the inspection form for establishments (effective September 17, 2020). The form is readily available to licensees on the Board's website at: [Funeral Inspection Report](#).

Upcoming Board Meetings

- **January 19, 2021 (9:30 a.m.)** – Quarterly Board Meeting
- **April 6, 2021 (9:30 a.m.)** – Quarterly Board Meeting

To access meeting information, visit the Board's [Meetings & Minutes](#) page.

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

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