



# Virginia Board of Funeral Directors & Embalmers

## Board Members:

Robert B. Burger, Jr., FSP  
President

Blair H. Nelsen, FSP  
Vice-President

Junius H. Williams, Jr.  
Citizen Member  
Secretary-Treasurer

Michael J. Leonard, FSP

Randolph T. Minter, FSP

Robert "Bob" Oman, FSP

Christopher P. Vincent, FSP

Eric V. Wray, II, FSP

Walter S. Ball  
Citizen Member

## Boards of Funeral Directors & Embalmers, Staff:

Lisa R. Hahn  
Executive Director

Lynne Helmick  
Deputy Executive Director

Annie B. Artis  
Licensure Manager

Kathy Petersen  
Discipline Manager

Missy Currier  
Board Operations Manager

Holly Manke  
Licensing Specialist

Vicki Saxby  
Licensing Specialist

## Department of Health Professions

January 2012 - Issue 5

## Letter from the Board President – Robert B. Burger, Jr.

As we begin a new year, I trust this message finds you all doing well.

Your Board had a very productive year in 2011, thanks to our wonderful staff, Executive Director Lisa Hahn, and the fine leadership of past President Michael Leonard. Staff has us operating very efficiently in the area of licensing and case closures, as you can see by visiting the website. I encourage you to take the time to visit our website where you will find all the information concerning the operation of your Board. The site is:

[www.dhp.virginia.gov/funeral](http://www.dhp.virginia.gov/funeral). I also encourage you to use the website to renew your license online this year if you have not done so in the past. If everyone would do so, the cost savings to your Board would be enormous.

Please join me in welcoming your newest board members, Christopher Vincent from Vincent Funeral Home in West Point, Eric Wray from Community Funeral Home in Virginia Beach and Bob Oman from Oman Funeral Home in Chesapeake.

Also congratulations to Blair Nelsen, Nelsen Funeral Home

in Richmond who was elected Vice-President of the board, and to Junius Williams, citizen member from Norfolk, who was elected Secretary-Treasurer.

My wish for each of you in 2012 is that the families we are fortunate enough to serve will be able to see the value of our service and that this great profession will be enhanced by your being called into it.

Respectfully yours,

Bob Burger  
President

## LISA R. HAHN, MPA, BOARD EXECUTIVE DIRECTOR

Happy New Year to you and your family! This year is off to quite a busy start for the Board. We have just concluded two days of board meetings, formal hearings and informal fact finding conferences. We are also currently gearing up for the March licensure renewal.

This year the Board is **Going Green!** In support of this effort to "go green", the Board is making the move to electronically transmit the Licensure Renewal Notice. If we have your email address, notification will be sent by email that your

renewal period is here and it's time to renew. Renewing your license online by March 5, 2012, will eliminate the need for a follow-up paper notice to be mailed via postal carrier. If you would like to verify that we have your email address on file, please email or call our office. For those individuals without an email address on record, you will receive a paper renewal notice by mid-February.

As a recap to 2011, the Board held a total of 19 meetings: consisting of board meetings, Informal Fact Finding Conferences

and or Formal Hearings. We made 10 formal presentations during the year and have already committed to providing 6 presentations between now and the end of June 2012.

We are pleased to report a decrease in death certificate forgery cases. We have also experienced a decrease in phone calls regarding issues related to death certificates. We hope that the changes in the law broadening who can sign a death certificate has helped reduce the difficulty that you encounter when problems arise with a death certificate.

**LISA R. HAHN, MPA, BOARD EXECUTIVE DIRECTOR – CONT'D**



**Don't forget to renew by March 31, 2012!**

Additionally, we have posted the letters on our website written by Dr. Karen Remley, VDH, State Health Commissioner, addressed to Virginia physicians to remind them of the law regarding signing death certificates.

Please keep in mind that the Board understands the issues you face regarding this matter, but do not jeopardize your license when faced with a delay in the filing of the death certificate.

Although the Board's staff is small, we are dedicated to providing quality customer service. Our most recent survey results showed that we scored 100% in the delivery of excellent customer service. We also met our goal by 100% to license all applicants within 30 days.

We take great pride in serving the citizens of the Commonwealth of Virginia. Please don't

hesitate to email or call us if you have a question or need clarification on a regulatory matter, inspection question or issue. The best advice is to always go to the source of the information...if it is a board regulation or law, ask the Board for clarification.

Hope you have a productive and peaceful year!

**Current Regulatory Action**



Chapter	Action/Stage Information
Regulations for the Board of Funeral Directors & Embalmers 18VAC65-20	Action: Identification of human remains Stage: Emergency/NOIRA – At Governor's Office
Regulations for the Board of Funeral Directors & Embalmers 18VAC65-20	Action: Fee Increase Stage: Proposed – At Secretary's Office
Regulations for Preneed Funeral Planning 18VAC65-30	Action: Termination of irrevocable trusts Stage: Fast-Track – At Governor's Office

**CREMATIONS ON THE RISE**

\*The public's interest in cremation continues to rise. In 2007, cremation accounted for 34.89 percent of final dispositions in the United States. As the popularity of cremations has grown, so has its acceptance upon cremation among various religious faiths. Religions that previously frowned are now

understanding its value to families and adjusting their doctrines to accommodate this choice.

Cremation is just one way a family can lay their loved one to rest; it is another option in addition to earth burial or entombment in a mausoleum. Cremation does not preclude a visitation or

funeral service. A visitation and/or funeral with the body present can be held prior to cremation. Alternatively, a memorial service with the cremated remains present can be held after the body has been cremated.

\*NFDA online report on **Funeral Trends**



## Preneed Meeting Draws Many Stakeholders

During 2011, the Board held a Preneed Committee meeting. The room was filled with 12 Board and Staff members and 39 Stakeholders all interested in the discussion on Preneed issues in Virginia.

Mike Leonard, Chair, explained that the Preneed Committee meeting was being held in order to gain a deeper understanding of the issues being addressed. That in past years, the Board had been solicited for comment on numerous funeral bills being proposed

in Virginia Assembly and they wanted to ensure they are properly informed and able to formulate educated opinions. The meeting was an opportunity for the committee to hear comments from experts in the field in order to share with the board and assist with making recommendations or decisions. It was also the intent to share this information with the legislative committee tasked to study funeral bills.



## Alkaline Hydrolysis as a new Means of Final Disposition?

During the April 2011 meeting **Rick Sikon**, of John Tyler Community College gave a very informative and interesting presentation on Alkaline Hydrolysis; an alternative method to burial and cremation. He included information on the method and how it works as well as being a viable and “bio-friendly” option for the future.

The Board concluded that not enough scientific research had been conducted; especially relating to waste water,

that the matter would be monitored until more approvals and information was available.

Ohio has blocked the use of Alkaline Hydrolysis as a method of disposition. The Ohio Department of Health directed officials not to issue permits or accept death certificates when bodies are to be disposed of through Alkaline Hydrolysis.

Although the method is fairly new to the industry, we have already seen legislative efforts across

the country, including Virginia, to make it a legal option for final disposition or a prohibited method of final disposition.



*CE's are due by March 31, 2012!*



## Welcome Lynne Helmick, MPA – Deputy Executive Director



Ms. Hahn is pleased to announce that Lynne Helmick has joined her team as the Deputy Executive Director for the boards of Funeral Directors and Embalmers, Long-Term Care Administrators, and Physical Therapy.

Lynne brings unique experience after serving for 11 years as a Senior Field Inspector for the Department of Health Professions.

As Deputy Executive Director, Lynne assists in the management of the licensure, disciplinary, and inspection processes of the boards.

We are fortunate to have someone who is familiar with the funeral profession and programs within our department.

Lynne has a Bachelor of

Science in Social Work from West Virginia University and a Master of Public Administration from Kent State University.

Please join us in welcoming Lynne.

## Funeral Board Goes "GREEN"

Beginning with the January 17, 2012 meeting, the board will make huge efforts to cut costs of holding meetings by eliminating the use of voluminous stacks of paper. Board members have agreed to bring in their personal laptops and utilize the overhead projector screen

available in the meeting room. If you have not already noticed, the board now attaches the entire agenda package to the website for convenience to the public. There will be a very limited supply of agenda packages available at the meetings for the

public; however, meeting agenda's are posted two weeks in advance of a scheduled meeting on both the website and the Regulatory Town Hall. Please check for any changes or additions to the agenda prior to the day of the meeting.



*Maryland and Virginia reach an agreement!*

## Maryland Reciprocal Agreement

The Virginia Board of Funeral Directors and Embalmers and the Maryland Board of Morticians and Funeral Directors have approved a Reciprocal Licensure Agreement. This agreement recognizes that Morticians in Maryland and Funeral Service Licensees in Virginia as holding equivalent titles

for one who provides funeral services and practices mortuary science (embalming) in their respective jurisdictions.

This agreement is intended to expedite the application process in either state.

The agreement has been signed by the Virginia

Board and has been sent to the Maryland Board who plan to officially sign the agreement at their board meeting scheduled on February 8, 2012.

Once Virginia receives the signed agreement, we will add it to our "Guidance Documents" and post an announcement on our main webpage.



## 2011/2012 Election of Officers

***Congratulations to the following members whom were elected as the new officers for the 2011/2015 tenure:***

- Robert B. Burger, Jr., FSP – President
- Blair Nelsen, FSP – Vice-President

**We look forward to working diligently throughout the next year with the newly elected officers!**

## 2011 New Board Member Appointments



***Please welcome the newest members to the Board of Funeral Directors and Embalmers:***

Robert “Bob” Oman – Oman Funeral Homes, Chesapeake, VA

Christopher P. Vincent – Vincent Funeral Home and Cremation Services, Inc., West Point, Virginia

Eric V. Wray, II – Community Funeral Home, Virginia Beach, VA

## 2011 Board Terms Expired

***The following board members were given plaques of appreciation for their hard work and dedication and in recognition of their contributions to the citizens of the Commonwealth, loyalty to the Board and the pursuit of excellence:***

Billie Watson Hughes – Alexandria, VA, Served 2 Full Terms

Willard “Skip” Tharp – Bedford, VA, Served 2 Full Terms

Barry Michael Murphy – Arlington, VA, Served 2 Full Terms

***We already miss them and hope they will continue to be active with the Board!***

***Thank You!***

## How Can You Have a Successful Inspection?



Everything that you need to know in order to have a successful inspection can be found at <http://www.dhp.virginia.gov/funeral>. Copies of the laws and regulations, the inspection forms, and the guidance documents can be downloaded from this website.

We recommend having the following information available for the inspector to review:

- Recent evidence of proper medical waste disposal contract
- If you fund preneed with insurance, you need a letter from the preneed insurance company indicating the preneed product complies with the Code of Virginia.
- Evidence that preneed funds were properly deposited.
- Certificate of Occupancy, if it is a new or change of location inspection.
- Crematory DEQ

The following are area of common deficiencies:

- Preparation room - Surfaces not impervious to liquids, unclean and unsanitary, no hot water, no proof of acceptable waste disposal
- Preneed
  - Incomplete Preneed Chronological lists
- The Question and Answer disclosure is not provided to the buyer as required by 18VAC65-30-230.
- Price Lists
  - Required disclosures not meeting FTC requirements
    - Wrong Calculation of Price Ranges (**Most common deficiency**)
    - The Casket, Outer Burial Container, Immediate Burial and Direct Cremation price ranges must match your Casket Price List and Outer Burial Container Price List
    - Remember that if you change the cost of the highest or lowest cost casket or outer burial container on the respective price lists, you must change the ranges on the GPL.
    - For Immediate Burial, the low end of your price range should be the cost of your immediate burial package with container provided by purchaser and your high end should be your immediate burial package plus the cost of your most expensive casket from the casket price list.
    - For Direct Cremation, the low end of your price range should be the cost of direct cremation with a container provided by the purchaser and the high end should be the base price for direct cremation plus the cost of the most expensive wooden casket acceptable for cremation or the most expensive cremation casket. When in doubt, please refer to Appendix 1 for reference or call the board office for clarification.

### What do I do if I have an inspection with deficiencies?

First, you must respond to the deficiencies within 14 days of inspection informing the board of your corrective action. If you are not able to correct everything within the 14 days, correct what you can; and inform the board of the reason of the delay of the outstanding item. You must submit proof of your corrections, so if you had a deficiency cited regarding your GPL, you must submit a revised GPL. If you had a deficiency cited regarding your price ranges on the GPL, submit the corrected GPL and casket price list or outer burial container price list. Please take time to make sure your submissions are correct. We will review your corrective action and will notify you if further corrections are required. If you fail to respond with corrective action, you may be subject to disciplinary action.

The inspectors are the eyes and ears of the Board and are taking only a snapshot of your funeral home on the day of the inspection. If you disagree with the inspector regarding an aspect of the inspection, it is recommended that you first talk to the inspector about your concern. The inspectors are willing to listen to your point of view and if there is still disagreement the inspector will recommend you contact the Board office. Please contact Lynne Helmick at 804 786-4094 or email her at [lynne.helmick@dhp.virginia.gov](mailto:lynne.helmick@dhp.virginia.gov).



## Robert B. Burger, Jr., President - Bio

### Virginia Board of Funeral Directors & Embalmers

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Visit us at:  
[www.dhp.virginia.gov](http://www.dhp.virginia.gov)

Bob Burger is the General Manager of Collins-McKee-Stone Funeral Homes in Bassett and Martinsville, and Community Funeral Home in Ridgeway.

He is a graduate of Campbell University with a degree in Business Administration, and John Tyler Community College's Mortuary Science program.

His community activities include serving as Chairman

of the Board of River Community Bank in Martinsville, and as Vice-President of the Longwood University Foundation Board.

Bob is currently President of the Virginia Board of Funeral Directors & Embalmers, having first been appointed by then Gov. Mark Warner, and reappointed by then Gov.

Tim Kaine.

A native of Farmville, he says his proudest moment in his funeral service career was "learning this wonderful profession under the direction of his father, the late Robert B. Burger, and serving as the fifth generation of his family in the third oldest funeral home in Virginia, which was established in 1838."

## What's new on the Website?

Current list of Continuing Education Providers approved by the Board;

Information from the Virginia Department of Veterans Services on the program for unclaimed remains of veterans;

Letters from Dr. Karen Remley, State Health Commissioner regarding death certification:

June 27, 2011 – to physicians regarding death certification;

August 3, 2011 –to physicians regarding timely completion of death certificates;

August 3, 2011 –to funeral service providers regarding development of a plan to improve the death certification

process;

New and important announcements;  
Meetings including copies of minutes and agenda's;

Disciplinary actions.

## 2012 Calendar:

- January 17:** Board Meeting  
(2) Formal Hearings  
(2) Informal Conferences
- January 18:** (2) Formal Hearings  
(1) Informal Conference
- March 8:** Formal Hearing
- April 24:** Board Meeting
- July 17:** Board Meeting
- October 16:** Board Meeting



Please Note: Meetings may be cancelled due to a light agenda or for fiscal reasons.

*Public Comment is received at the beginning of each board meeting.*

Register today on the **Virginia Regulatory Town Hall** which provides convenient access to detailed information regarding regulatory processes; automated notifications for specific events and meetings; and the ability to participate in the process via public comment forums. Register at:

[www.townhall.virginia.gov](http://www.townhall.virginia.gov)