VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Henrico VA 23233-1463
Board Room #4, Second Floor
July 14, 2015 at 10:30 a.m.

BOARD MEETING
AMENDED AGENDA

CALL TO ORDER

ORDERING OF AGENDA

ACCEPTANCE OF MINUTES – Tab 1

- Board Meeting – April 14, 2015
  Formal Hearing – April 14, 2015

INFORMAL CONFERENCES HELD (INFORMATIONAL PURPOSES ONLY)

- (3) Informal Conference – June 24, 2015

PUBLIC COMMENT PERIOD

DIRECTOR'S REPORT – Dr. David Brown, D.C.

EXECUTIVE DIRECTOR'S REPORT – Lisa R. Hahn - Tab 2

NEW BUSINESS

- Regulatory Update– **Elaine Yeatts - Tab 3**
  - Adoption of Amendments Pursuant to HB1803
- Board of Health Professions Report – **Paul Welch – Tab 4**
- Guidance Documents – **Tab 5**
  - 76-21.3.1 - Funeral Inspection Report
  - Appendix I & Appendix II – Conform to FTC
  - 65-8 Sale of Caskets
- Election of Officers

Tab 1

UNAPPROVED

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS BOARD MEETING MINUTES

The Virginia Board of Funeral Directors and Embalmers convened for a board meeting on Tuesday, April 14, 2015 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 2, Henrico, Virginia.

BOARD MEMBERS PRESENT
Christopher P. Vincent, FSL, President, Chair
Connie B. Steele, FSL, Vice-President
J. Paul Welch, FSL, Secretary-Treasurer
Junius H. Williams, Jr., Citizen Member
Eric V. Wray, II, FSL
Robert Oman, FSL
Louis R. Jones, FSL
R. Thomas Slusser, Jr., FSL
Ibrahim A. Moiz, Esq., Citizen Member

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING
Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director, Discipline
Missy Currier, Deputy Executive Director, Licensing
Jaime Hoyle, Chief Deputy Director
Elaine Yeatts, Senior Policy Analyst

BOARD COUNSEL
Erin Barrett, Assistant Attorney General

QUORUM
With 9 members present a quorum was established.

GUESTS PRESENT
Paul Harris, Regulatory Support Services, Inc.
Karen McPherson, VMA
Abbey Shepperson, VFDA
Jim Dickerson, FSL

CALL TO ORDER

Chris Vincent, President, called the meeting of the Virginia Board of Funeral Directors and Embalmers to order at 10:02 a.m.

ORDERING OF AGENDA
Upon a motion by Eric Wray and properly seconded by Bob Oman, the board accepted the agenda as presented. The motion passed unanimously.

ACCEPTANCE OF MINUTES

Upon a motion by Junius Williams, Jr. and properly seconded by Eric Wray, the Board voted to accept the following Meeting Minutes:

- Board Meeting – January 13, 2015
- Formal Hearing – January 13, 2015

The motion passed unanimously.

PUBLIC COMMENT PERIOD

There was no public comment.

BOARD OF HEALTH PROFESSIONS – Dr. Elizabeth Carter

Dr. Carter stated that at the request of Senator Kenneth Alexander, the Board of Health Professions was to conduct a study on the bifurcation of the funeral license. She shared that they have pulled information from various states but that it was difficult to compare since each state has different laws and regulations. Dr. Carter furthered that hearing feedback from Virginia licensees on the subject will be provide a better view.

Dr. Carter stated that the Board of Health Professions will be holding a Public Hearing on the matter during their May 28th Board Meeting. Meeting information and details will be posted on the board's website closer to May 28th.

Chris Vincent, President concluded that he would be appointing an Adhoc Committee to work on this complex issue.

EXECUTIVE DIRECTOR'S REPORT – Lisa R. Hahn

Expenditure and Revenue Summary

Ms. Hahn stated she would begin her report with the bleak news but was looking forward to seeing positive changes in the budget soon, thanks to the regulatory fee increase that had been pending for more than 4 years.

FY15 Budget

• Cash Balance as of June 30, 2014	$(242,833)
• YTD FY15 Revenue	$ 33,805
• Less direct & In-Direct expenditure	$357,708
• Cash Balance on January 31, 2015	$ (566,736)

Discipline Statistics (as of 03/31/2015)

- 29 open cases
- 19 are in Investigations
- 6 in Probable Cause
- 1 in APD
- 0 Informal
- 3 Formals
- 22 Orders are being monitored for Compliance

Licensee Statistics (as of 03/31/15)

- Branch Establishments –69
- Continuing Education Providers – 25
- Courtesy Card Holders -75
- Crematories – 105
- Embalmer only – 5
- Funeral Director –51 Funeral Supervisors - 434
- Funeral Establishment – 439
- Funeral Service Licensee's – 1,554
- Funeral Intern – 213
- Surface Transport and Removal Services – 51
- Total – 3,021

Virginia Performs

2nd Quarter 2015:

- Licensing Standard less than 30 days – 100%
- Clearance Rate-600% (rec'd 1 – closed 6)
- Pending Caseload older than 250 days- 8% (1 case)
- % of cases closed within 250 days- 100%
- Customer Satisfaction – 100% (Q2 FY 2015)

Ms. Hahn stated how proud she was of her staff and all their hard work and dedication and high level of customer service. She pointed out that all three of her licensing boards just earned 100% customer satisfaction and attributes a lot of that from dedicated staff and everyone being cross trained so that they are able to assist at all times.

Conferences & Presentations

Ms. Hahn shared that Ms. Helmick attended the following meetings and was able to provide several presentations for the VFDA via live video conferencing technology:

Lynne Helmick –

- The Conference Annual Meeting in Dallas, Texas, February 2015
- Jan 26th – VFDA Winter Conference
- VFDA Traveling Caravan–
  - Feb 12 – Danville – video conference
  - March 10th – Germanna College, Fredericksburg
  - March 12th – John Tyler Community College
  - March 13th – Independent Funeral Homes (IFHV), Glen Allen, VA

Board Business

Ms. Hahn shared the following with the board;

- **Marta Ishmael, DHP Investigator** is retiring after 30 years of state service. She will be sorely missed by all especially those in the funeral service. We will present Marta with a plaque and card on behalf of the board during her retirement party.
- **Model Practice Act** for the Funeral Service has been officially published and you have all been provided with a copy. It is here for Virginia to utilize when needed.
- **Fee Increase** – Became effective on January 14th; information was posted on the website as well as emailing an informational letter prior to renewals.
- **Renewals** – deadline was March 31st.
- **Recent Supreme Court Decision** regarding NC Dental board vs. FTC – will discuss later in meeting.

2015 Board Meeting Calendar

- January 13th
- April 14th
- July 14th
- October 20th

NEW BUSINESS

Regulatory Report – Elaine Yeatts

Board of Funeral Directors and Embalmers

Chapter	Action / Stage Information
Regulations of the Board of Funeral Directors and Embalmers [18 VAC 65 - 20]	Action: Identification of human remains Stage: Final - *At Secretary's Office – 28 days*
Regulations of the Board of Funeral Directors and Embalmers [18 VAC 65 - 20]	Action: Change in requirement for cremation unit Stage: Fast-Track – *DPB Review in progress;28 days*

Legislative Report – Elaine Yeatts

Ms. Yeatts gave the members a report of the 2015 General Assembly including the following Bills:

HB1435; HB1738; HB1803; HB1963; SB895; SB951; SB1434

BREAK

The board recessed at 10:55 a.m. and reconvened at 11:10 a.m.

CLOSED SESSION: Upon a motion by Connie Steele, and duly seconded by Bob Oman, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (7) of the Code of Virginia, for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Additionally, she moved that Ms. Hahn, and Ms. Helmick, Ms. Currier and Ms. Yeatts attend the closed meeting because their presence in the closed meeting is deemed necessary and will aid the Board in its discussions and considerations.
The Committee entered into closed session at 11:12 a.m.

RECONVENE: Upon a motion by Chris Vincent, and duly seconded by Eric Wray, the Board voted to re-convene at 12:00 p.m.

CERTIFICATION: Connie Steele certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session at 12:00 p.m.

MOTION: Bob Oman moved that the Board of Funeral Directors and Embalmers request the 2016 General Assembly add the following language to the definition of the practice of funeral services in 54.1-2800: **"The practice of funeral services includes the sale of caskets to the public."** I make this motion based on legal counsel and the risk of litigation to this Board and individual Board Members and our general concerns related to the regulation of the funeral service industry. The motion was properly seconded by Louis Jones. The motion carried unanimously.

ADJOURNMENT:

Junius Williams, Jr. thanked the board and staff for their expressions of kindness regarding the passing of his mother.

Upon a motion by Bob Oman and properly seconded by Eric Wray, the board concluded the meeting at 12:10 p.m.

Christopher P. Vincent, President

Lisa R. Hahn, Executive Director

Date

Date

UNAPPROVED

VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
FORMAL ADMINISTRATIVE HEARING
MINUTES

Tuesday, April 14, 2015
1:00 P.M.

Department of Health Professions
9960 Mayland Drive, Suite #300
Henrico, Virginia 23233

CALL TO ORDER:	The Formal Hearing of the Board was called to order at 1:05 p.m.
MEMBERS PRESENT:	Junius Williams, Chair Connie Steele, FSL Bob Oman, FSL Paul Welch, FSL Eric Wray, FSL Louis Jones, FSL Tommy Slusser, FSL Ibrahim Moiz, Esq., Citizen Member Chris Vincent, FSL
BOARD COUNSEL:	Erin L. Barrett, Assistant Attorney General
DHP STAFF PRESENT:	Lynne Helmick, Deputy Executive Director Missy Currier, Deputy Executive Director Kathy Petersen, Discipline Operations Manager
COURT REPORTER:	Crane Snead & Associates
PARTIES ON BEHALF OF COMMONWEALTH:	Amanda Blount, Adjudication Specialist
COMMONWEALTH WITNESS:	Joyce Shelton-Jones
RESPONDENT WITNESSES:	**David Storke** **Marshall Graham, Virginia Department of Corrections** **Sharon Westman, Virginia Department of Corrections**
MATTER SCHEDULED:	**Kiplin L. Jordan, FSL Reinstatement Applicant** **License No.: 0502-860009 - Revoked** **Case No.: 159942**

ESTABLISHMENT OF A QUORUM:	With nine (9) members of the Board present, a quorum was established.
DISCUSSION:	Mr. Jordan appeared before the Board in accordance with the Board's Notice of Formal Hearing dated March 18, 2015, and was not represented by counsel. The Board received evidence and sworn testimony from the parties called by the Commonwealth and Mr. Jordan, regarding the matters as set forth in the Statement of Particulars.
CLOSED SESSION:	Upon a motion by Chris Vincent, and duly seconded by Bob Oman, the Board voted to convene a closed meeting at 2:11 p.m., pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Kiplin L. Jordan. Additionally, he moved that Ms. Barrett, Ms. Helmick, Ms. Petersen and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.
RECONVENE:	Upon a motion by Bob Oman, and duly seconded by Eric Wray, the Board voted to re-convene at 3:19 p.m.
CERTIFICATION:	Mr. Vincent certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Board reconvened in open session.
DECISION:	Upon a motion by Louis Jones and duly seconded by Bob Oman, the Board moved to REINSTATE the license of Kiplin L. Jordan, FSL to practice as a funeral service licensee in the Commonwealth of Virginia. Mr. Jordan's license will be on Indefinite PROBATION for not less than three (3) years with certain terms and conditions.
VOTE:	The vote was 7 for and 2 opposing.
ADJOURNMENT:	The Board adjourned at 3:31 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.

Junius Williams, Chair

Lisa R. Hahn, MPA, Executive Director

Date

Date

Tab 2

Virgina Department of Health Professions
Cash Balance
As of May 31, 2015

	104- Funeral Directors and Emba
Board Cash Balance as of June 30, 2014	$ (242,833)
YTD FY15 Revenue	776,255
Less: YTD FY15 Direct and In-Direct Expenditures	563,143
Board Cash Balance as of May 31, 2015	(29,721)

Board of Funeral Directors & Embalmers
Revenue Report
July 1, 2014 through May 31, 2015

Description	Revenue Operating Budget	May-15	Current Year Expenditures	(Over) Under Revenue Operating Budget	% of Budget Remaining
Revenue					
2401 · Application Fee	36,425.00	5,845.00	43,270.00	-6,845.00	-18.8%
2406 · License & Renewal Fee	469,165.00	3,575.00	717,295.00	-248,130.00	-52.9%
2407 · Dup. License Certificate Fee	240.00	25.00	285.00	-45.00	-18.8%
2409 · Board Endorsement - Out	3,850.00	500.00	3,100.00	750.00	19.5%
2421 · Monetary Penalty & Late Fees	3,270.00	1,260.00	4,230.00	-960.00	-29.4%
2430 · Board Changes Fee	3,875.00	600.00	5,575.00	-1,700.00	-43.9%
2432 · Misc. Fee (Bad Check Fee)	35.00		0.00	35.00	100.0%
9060 · Miscellaneous Revenue	3,900.00	800.00	2,500.00	1,400.00	35.9%
Total Revenue	**520,760.00**	**12,605.00**	**776,255.00**	**-255,495.00**	**-49.1%**

Description	Expense Operational Budget	May-15	Current Year Expenditures	(Over) Under Operational Budget	% of Budget Remaining
Expense					
Employer Retire Contrb-Def Ben	10,168.00	818.38	9,368.61	799.39	7.9%
Salary Social Securty&Medicare	6,309.00	470.94	5,439.30	869.70	13.8%
Group Life Insurance	1,089.00	78.98	915.16	173.84	16.0%
Employer Health Ins Premium	18,048.00	1,434.50	16,702.71	1,345.29	7.5%
Retiree Health Ins Cr Premium	965.00	69.70	805.99	159.01	16.5%
VSDB & Longterm Disability Ins	602.00	43.80	496.25	105.75	17.6%
Salaries, Classified	82,466.00	6,637.32	76,536.31	5,929.69	7.2%
Salaries, Overtime	0.00	0.00	13.87	(13.87)	0.0%
Deferred Comp Match Payments	840.00	53.00	616.50	223.50	26.6%
Salaries, Annual Leave Balance	0.00	0.00	46.32	(46.32)	0.0%
Salaries, Sick Leave Balances	0.00	0.00	93.36	(93.36)	0.0%
Express Services	200.00	1.96	1.96	198.04	99.0%
Postal Services	3,500.00	1,022.85	2,296.24	1,203.76	34.4%
Printing Services	1,500.00	16.62	187.26	1,312.74	87.5%
Telecom Services (VITA)	300.00	31.13	294.57	5.43	1.8%
Telecom Services (Non-State)	0.00	31.52	362.48	(362.48)	0.0%
Inbound Freight Services	0.00	-	3.49	(3.49)	0.0%
Organization Memberships	1,200.00	0.00	250.00	950.00	79.2%
Publication Subscriptions	600.00	0.00	0.00	600.00	100.0%
Employee Trainng/Workshop/Conf	1,000.00	0.00	0.00	1,000.00	100.0%
Employee Tuition Reimbursement	1,000.00	0.00	0.00	1,000.00	100.0%
Employee Training Travel	800.00	0.00	0.00	800.00	100.0%
X-Ray & Laboratory Services	0.00	0.00	65.72	(65.72)	0.0%
Fiscal Services	9,520.00	-	9,469.10	50.90	0.5%
Management Services	120.00	-	16.06	103.94	86.6%
Legal Services	150.00	-	165.00	(15.00)	-10.0%
Custodial Services	0.00	9.91	67.82	(67.82)	0.0%

Electrical Repair & Maint Srvc	0.00	-	20.03	(20.03)	0.0%
Equipment Repair & Maint Srvc	40.00	0.00	3.01	36.99	92.5%
Clerical Services	5,500.00	0.00	0.00	5,500.00	100.0%
Food & Dietary Services	2,100.00	212.71	661.24	1,438.76	68.5%
Laundry & Linen Services	0.00	0.00	11.80	(11.80)	0.0%
Manual Labor Services	1,200.00	3.64	28.66	1,171.34	97.6%
Production Services	1,120.00	39.77	361.34	758.66	67.7%
Skilled Services	3,910.00	0.00	0.00	3,910.00	100.0%
Travel, Personal Vehicle	5,100.00	24.15	3,595.06	1,504.94	29.5%
Travel, Public Carriers	700.00	0.00	0.00	700.00	100.0%
Travel, Subsistence & Lodging	1,600.00	0.00	94.04	1,505.96	94.1%
Travel, Meal Reimb-Not Rpt Irs	750.00	0.00	51.00	699.00	93.2%
Office Supplies	1,500.00	65.64	485.80	1,014.20	67.6%
Stationary & Forms	675.00	0.00	1.39	673.61	99.8%
Gasoline	0.00	0.00	7.93	(7.93)	0.0%
Packaging & Shipping Supplies	85.00	0.00	0.00	85.00	100.0%
Custodial Repair & Maint Matrl	0.00	0.00	2.62	(2.62)	0.0%
Electrcal Repair & Maint Matrl	0.00	-	2.28	(2.28)	0.0%
Mechancal Repair & Maint Matrl	0.00	0.00	14.25	(14.25)	0.0%
Food & Dietary Supplies	30.00	0.00	13.85	16.15	53.8%
Food Service Supplies	90.00	0.00	0.00	90.00	100.0%
Personal Care Supplies	0.00	0.00	0.00	-	0.0%
Computer Operating Supplies	15.00	4.64	8.63	6.37	42.5%
Premiums		145.00	145.00	(145.00)	0.0%
Property Insurance	36.00	0.00	30.42	5.58	15.5%
Equipment Rentals	0.00	1.39	4.18	(4.18)	0.0%
Building Rentals	15.00	2.43	776.62	(761.62)	-5077.5%
Bldg Rental-NonState DGS Adm	9,517.00	847.91	8,019.16	1,497.84	15.7%
General Liability Insurance	135.00	0.00	109.19	25.81	19.1%
Surety Bonds	8.00	0.00	6.44	1.56	19.5%
Reference Equipment	0.00	0.00	52.88	(52.88)	0.0%
Office Appurtenances	132.00	0.00	0.00	132.00	100.0%
Total Expenditures	**$ 174,635.00**	**$12,067.89**	**$ 138,720.90**	**$35,914.10**	**20.6%**
Allocated Expenditures					
Funeral\LTCA\PT	99,318.85	8,258.36	8,258.36	4,991.43	5.0%
DP Operations & Equipment	102,613.08	2,886.88	2,886.88	30,363.00	29.6%
Human Resources	12,499.93	143.51	143.51	151.06	1.2%
Finance	23,379.58	729.77	729.77	209.63	0.9%
Director's Office	14,192.18	982.97	982.97	1,003.99	7.1%
Enforcement	193,148.40	10,529.45	10,529.45	62,639.32	32.4%
Administrative Proceedings	35,769.84	4,114.11	4,114.11	16,885.93	47.2%
Impaired Practitioners		-	0.00	-	
Attorney General	45,850.44	-	0.00	(377.27)	-0.8%
Board of Health Professions	7,439.40	602.79	602.79	427.92	5.8%
SRTA		-	0.00	-	
Maintenance and Repairs	479.64	(48.32)	-48.32	479.64	100.0%
Emp. Recognition Program	344.64	113.81	113.81	95.15	27.6%
Conference Center	252.24	220.71	220.71	(101.42)	-40.2%
Pgm Devlpmnt & Implmentn	8,237.43	524.16	524.16	2,335.59	28.4%
Cash Trsfr Out- Appr Act	1,371.72	0.00	0.00	1,371.72	100.0%
Total Allocated Expeditures	**$ 544,897.37**	**29,058.20**	**424,421.69**	**120,475.68**	**22.1%**

License Count Report for Funeral Directors
April 14, 2015

Branch Establishment	68
Continuing Education Provider	27
Courtesy Card	71
Crematories	105
Funeral Establishments	439
Funeral Service Interns	197
Embalmer	4
Funeral Service Director	46
Funeral Service Licensee's	1,505
Funeral Service Supervisors	447
Surface Transportation & Removal Services	45
Total	2,953

Data as of 06/29/2015

Disciplinary Case Report for Funeral Directors
July 14, 2015

Investigations	19
Probable Cause	4
APD	3
Informal Stage	3
Formal Stage	0

9

FDE Orders currently being monitored by Compliance Manager - **15**

Data as of 06/29/2015

Virginia Department of Health Professions

Patient Care Disciplinary Case Processing Times: Quarterly Performance Measurement, Q3 2011 - Q3 2015

David E. Brown, D.C.
Director

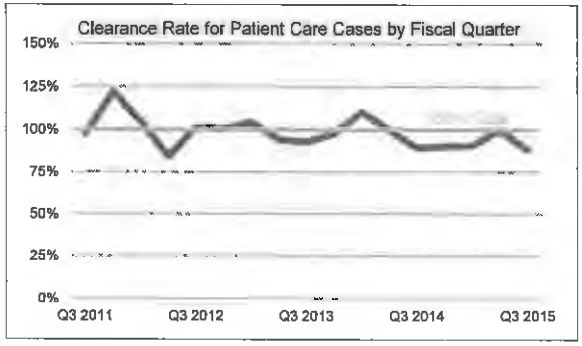
"To ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public."
DHP Mission Statement

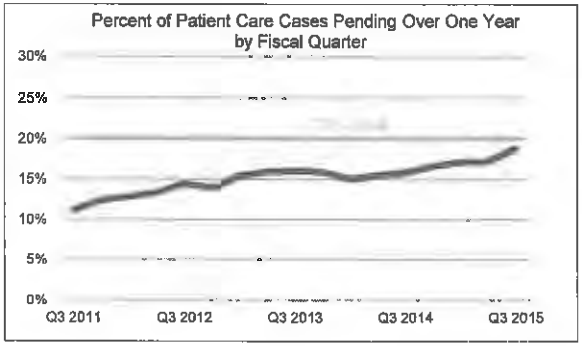
In order to uphold its mission relating to discipline, DHP continually assesses and reports on performance. Extensive trend information is provided on the DHP website, in biennial reports, and, most recently, on Virginia Performs through Key Performance Measures (KPMs). KPMs offer a concise, balanced, and data-based way to measure disciplinary case processing. These three measures, taken together, enable staff to identify and focus on areas of greatest importance in managing the disciplinary caseload; Clearance Rate, Age of Pending Caseload and Time to Disposition uphold the objectives of the DHP mission statement. The following pages show the KPMs by board, listed in order by caseload volume; volume is defined as the number of cases received during the previous 4 quarters. In addition, readers should be aware that vertical scales on the line charts change, both across boards and measures, in order to accommodate varying degrees of data fluctuation.

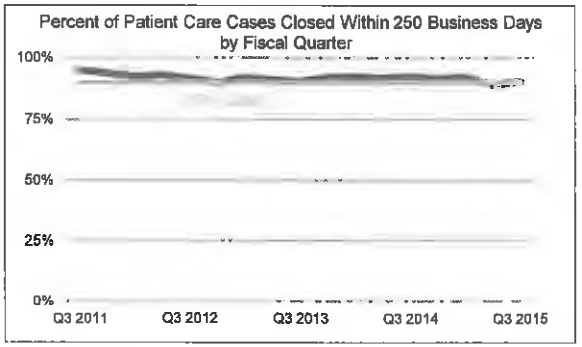
Clearance Rate - the number of closed cases as a percentage of the number of received cases. A 100% clearance rate means that the agency is closing the same number of cases as it receives each quarter. DHP's goal is to maintain a 100% clearance rate of allegations of misconduct through the end of FY 2016. The current quarter's clearance rate is 88%, with 906 patient care cases received and 800 closed.

Age of Pending Caseload - the percent of open patient care cases over 250 business days old. This measure tracks the backlog of patient care cases older than 250 business days to aid management in providing specific closure targets. The goal is to maintain the percentage of open patient care cases older than 250 business days at no more than 20% through the end of FY 2016. That goal continues to be achieved with 19% percent of patient care cases pending over 250 business days. For the last quarter shown, there were 2,591 patient care cases pending, with 487 pending over 250 business days.

Time to Disposition - the percent of patient care cases closed within 250 business days for cases received within the preceding eight quarters. This moving eight-quarter window approach captures the vast majority of cases closed in a given quarter and effectively removes any undue influence of the oldest cases on the measure. The goal is to resolve 90% of patient care cases within 250 business days through the end of FY 2016. The current quarter shows 91% percent of patient care cases being resolved within 250 business days with 787 cases closed and 712 closed within 250 business days.







Submitted: 4/10/2015

Prepared by: VisualResearch, Inc.

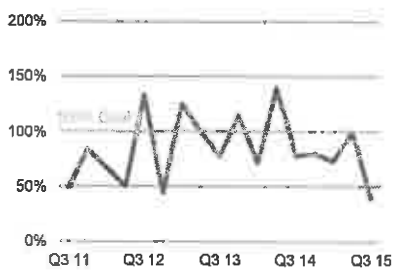
Virginia Department of Health Professions - Patient Care Disciplinary Case Processing Times, by Board

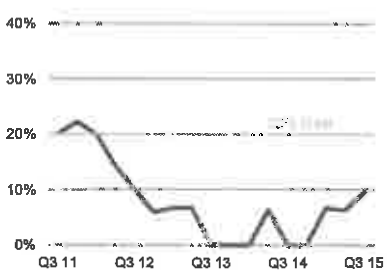
Clearance Rate

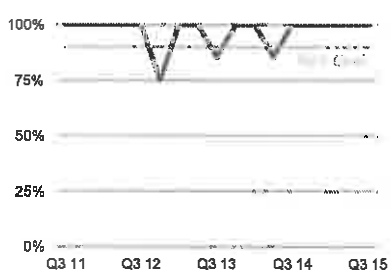
Age of Pending Caseload
(percent of cases pending over one year)

Percent Closed in 250 Business Days

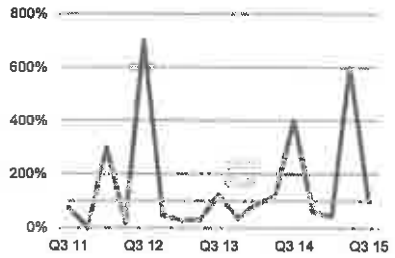
Physical Therapy - In Q3 2015, the clearance rate was 40%, the Pending Caseload older than 250 business days was 10% and the percent closed within 250 business days was 100%.
Q3 2015 Caseloads:
Received=10, Closed=4
Pending over 250 days=2
Closed within 250 days=4

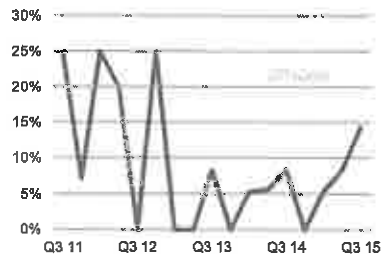


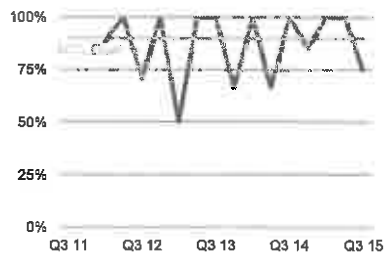




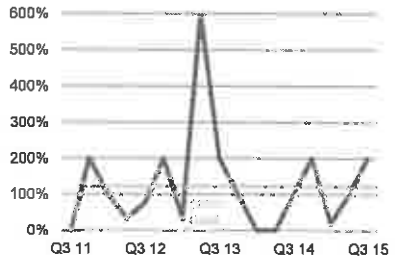
Funeral - In Q3 2015, the clearance rate was 100%, the Pending Caseload older than 250 business days was 14% and the percent closed within 250 business days was 75%.
Q3 2015 Caseloads:
Received=4, Closed=4
Pending over 250 days=2
Closed within 250 days=3

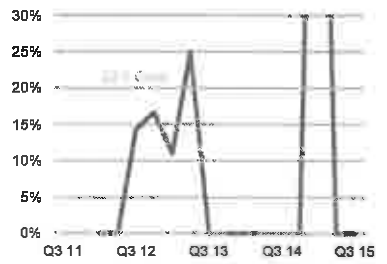


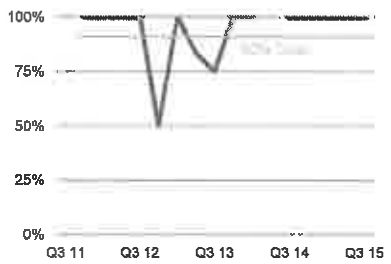




Audiology - In Q3 2015, the clearance rate was 200% the Pending Caseload older than 250 business days was 0% and the percent closed within 250 business days was 100%.
Q3 2015 Caseloads:
Received=1, Closed=2
Pending over 250 days=5
Closed within 250 days=2







Note: Vertical scales on line charts change, both across boards and measures, in order to accommodate varying degrees of data fluctuation.

Submitted: 4/10/2015

Prepared by: VisualResearch, Inc.

Virginia Department of Health Professions

APPLICANT SATISFACTION SURVEY RESULTS

APPROVAL RATE

FISCAL YEAR 2015, QUARTER ENDING 3/31/2015

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

***Applicant Satisfaction Surveys are sent to all initial applicants. The survey includes six categories for which applicants rate their satisfaction on a scale from one to four, one and two being degrees of satisfaction, three and four being degrees of disatisfaction. This report calculates the percentage of total responses falling into the approval range. An "n/a" is used if no response was received for that board during the specified timeframe.**

Board	CURRENT 03/31/15	12/31/14	09/30/14	06/30/14	03/31/14	12/31/13	09/30/13	06/30/13	03/31/13	12/31/12	09/30/12	06/30/12
Audiology/Speech Pathology	100.0%	83.3%	89.6%	100.0%	100.0%	85.7%	94.8%	100.0%	100.0%	100.0%	97.0%	86.7%
Counseling	83.9%	91.1%	83.3%	92.8%	87.7%	83.2%	80.1%	76.3%	69.9%	78.0%	60.3%	74.5%
Dentistry	100.0%	91.7%	86.3%	88.9%	92.3%	95.9%	90.9%	94.7%	98.7%	94.1%	92.9%	93.7%
Funeral Directing	100.0%	100.0%	N/A	100.0%	88.9%	100.0%	100.0%	100.0%	n/a	100.0%	100.0%	100.0%
Long Term Care Administrator	100.0%	100.0%	100.0%	100.0%	88.9%	100.0%	100.0%	n/a	100.0%	100.0%	100.0%	81.0%
Medicine	84.8%	81.2%	92.2%	95.0%	92.2%	91.8%	91.1%	87.5%	94.4%	86.2%	93.9%	95.4%
Nurse Aide	88.9%	97.3%	95.6%	100.0%	96.5%	99.7%	97.2%	99.1%	97.6%	96.8%	97.1%	97.5%
Nursing	98.1%	94.9%	95.6%	94.5%	94.5%	96.4%	94.3%	96.5%	94.4%	93.7%	95.7%	94.7%
Optometry	N/A	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	n/a	n/a	n/a	100.0%
Pharmacy	100.0%	98.3%	98.8%	99.1%	97.6%	98.1%	97.7%	97.3%	97.5%	98.8%	97.5%	98.1%
Physical Therapy	100.0%	97.3%	94.3%	90.5%	100.0%	98.7%	96.9%	98.6%	100.0%	96.6%	95.3%	98.2%
Psychology	90.0%	76.8%	89.6%	96.0%	88.9%	92.6%	88.6%	99.1%	89.6%	78.7%	92.8%	90.2%
Social Work	90.7%	92.0%	92.0%	88.5%	95.8%	90.7%	86.6%	94.9%	84.7%	87.3%	84.2%	86.9%
Veterinary Medicine	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	97.4%	93.3%	83.3%	100.0%	100.0%	98.7%
AGENCY	*95.1%*	*92.5%*	*94.2%*	*95.1%*	*94.2%*	*95.0%*	*93.6%*	*93.5%*	*93.5%*	*91.9%*	*94.7%*	*94.5%*

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions
Perimeter Center
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MEMORANDUM

TO: Members of Boards at the Department of Health Professions

FROM: David E. Brown, D.C., Director DB

DATE: April 3, 2015

RE: Board Member Development Day – September 28, 2015

As a former member of the Board of Medicine, I am well aware of the commitment of time and energy you devote to serving as a member of one of our regulatory boards at the Department. We are incredibly grateful for the time you take from your professional and personal lives to serve the Commonwealth in this capacity.

We offer new board member training as an orientation to the work of boards and the Department. However, I believe as you actually experience the policy and disciplinary workload, additional training would be beneficial in helping you become more effective in conducting and participating in meetings and hearings. For this reason, we are having a Board Member Development Day to provide more in-depth training, especially on conflicts of interests, conducting disciplinary proceedings, deliberations, making findings of facts and conclusions of law.

With this advance notice, I hope you will set aside September 28, 2015 on your calendar to participate in board member development. All of the attorneys general who provide counsel to the Boards will be involved in the training, as will our Executive Directors and others in the agency. More information and a detailed schedule will follow.

If any of you have topics or questions you would like to have addressed in the training, please send them directly to me at: david.brown@dhp.virginia.gov. We want to enhance your experience as a board member, so we would appreciate hearing any of your suggestions.

Thank you again for all you do for our boards and for the Commonwealth. I hope to see you on the 28th

Tab 3

Agenda Item: **Regulatory Actions - Chart of Regulatory Actions**
(As of July 1, 2015)

		Action / Stage Information
[18 VAC 65 - 20]	Regulations of the Board of Funeral Directors and Embalmers	Change in requirement for cremation unit [Action 4325] Fast-Track - *At Governor's Office for 53 days*
[18 VAC 65 - 20]	Regulations of the Board of Funeral Directors and Embalmers	Identification of human remains [Action 3340] Final - *At Governor's Office for 53 days*

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 54.1-2819 of the Code of Virginia, relating to surface transportation or removal service; manager of record.

[H 1803]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2819 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2819. Registration of surface transportation and removal services; penalty.

Any person or private business, except a common carrier engaged in interstate commerce, the Commonwealth and its agencies, or an emergency medical services agency holding a permit issued by the Commissioner of Health pursuant to § 32.1-111.6, shall apply for and receive a registration as a transportation and removal service in order to be authorized to engage in the business of surface transportation or removal of dead human bodies in this Commonwealth.

Surface transportation and removal services shall not arrange or conduct funerals, provide for the care or preparation, including embalming, of dead human bodies, or sell or provide funeral-related goods and services without the issuance of a funeral service establishment license.

The Board ~~of Funeral Directors and Embalmers~~ shall promulgate regulations for such registration including proper procedures in the handling of all dead human bodies being transported, *the* application process for registration, and *the* establishment of registration fees. These regulations shall not require the use of a casket for transportation. No licensed funeral service establishment shall be required to receive such registration in addition to its funeral service establishment license. However, such establishment shall be subject to the regulations pertaining to transportation and removal services.

Every applicant for registration as a surface transportation and removal service shall include the name of a manager of record on any application for registration and shall notify the Board within 30 days of any change in the manager of record. Such notice shall include the name of the new manager of record of the surface transportation and removal service.

All registrations as a surface transportation and removal service shall be renewed annually and no person, private business, or funeral service establishment shall engage in the business as a surface transportation and removal service without holding a valid registration.

Any surface transportation or removal service ~~which~~ *that* is not registered or persons who knowingly engage in transportation or removal services without registration shall be subject to the disciplinary actions provided in this chapter.

This section shall not be construed to prohibit private individuals from transporting or removing the remains of deceased family members and relatives either by preference or in observation of religious beliefs and customs.

Project 4315 - none

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Manager for surface transportation and removal service

18VAC65-20-60. Accuracy of information.

A. All changes in the address of record or the public address, if different from the address of record, or in the name of a licensee or registrant shall be furnished to the board within 30 days after the change occurs.

B. Any change in ownership or manager of record for an establishment or crematory shall be reported to the board within 14 days of the change.

C. A surface transportation and removal service shall notify the board within 30 days of any change in the name of the manager on record with the board.

~~C.~~D. All notices required by law and by this chapter to be mailed by the board to any registrant or licensee shall be validly given when mailed to the latest address of record on file with the board and shall not relieve the licensee, funeral service intern, establishment, crematory, or firm of obligation to comply.

Part IV

Registration

18VAC65-20-400. Registration of surface transportation and removal services.

All persons applying to own or operate a surface transportation and removal service, according to requirements of § 54.1-2819 of the Code of Virginia, shall submit an application package for registration which shall include:

1. A completed and signed application;

2. The fee prescribed in 18VAC65-20-70 A 3; ~~and~~

3. Additional documentation as may be required by the board to determine eligibility of the applicant, including, but not limited to, evidence of training in compliance with standards of the Occupational Safety and Health Administration (OSHA) for universal precautions and blood-borne pathogens; and

4. The name of the manager for the service.

Board of Funeral Directors and Embalmers

Legislative Proposal – 2016 Session of the General Assembly

§ 54.1-2800. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Advertisement" means any information disseminated or placed before the public.

"At-need" means at the time of death or while death is imminent.

"Board" means the Board of Funeral Directors and Embalmers.

"Cremate" means to reduce a dead human body to ashes and bone fragments by the action of fire.

"Cremator" means a person or establishment that owns or operates a crematory or crematorium or cremates dead human bodies.

"Crematory" or "crematorium" means a facility containing a furnace for cremation of dead human bodies.

"Embalmer" means any person engaged in the practice of embalming.

"Embalming" means the preservation and disinfection of the human dead by external or internal application of chemicals.

"Funeral directing" means the for-profit profession of directing or supervising funerals, preparing human dead for burial by means other than embalming, or making arrangements for funeral services or the financing of funeral services.

"Funeral director" means any person engaged in the practice of funeral directing.

"Funeral service establishment" means any main establishment, branch or chapel which is permanently affixed to the real estate and for which a certificate of occupancy has

been issued by the local building official where any part of the profession of funeral directing, the practice of funeral services, or the act of embalming is performed.

"Funeral service intern" means a person who is preparing to be licensed for the practice of funeral services under the direct supervision of a practitioner licensed by the Board.

"Funeral service licensee" means a person who is licensed in the practice of funeral services.

"In-person communication" means face-to-face communication and telephonic communication.

"Next of kin" means any of the following persons, regardless of the relationship to the decedent: any person designated to make arrangements for the disposition of the decedent's remains upon his death pursuant to § 54.1-2825, the legal spouse, child over 18 years of age, custodial parent, noncustodial parent, siblings over 18 years of age, guardian of minor child, guardian of minor siblings, maternal grandparents, paternal grandparents, maternal siblings over 18 years of age and paternal siblings over 18 years of age, or any other relative in the descending order of blood relationship.

"Practice of funeral services" means engaging in the care and disposition of the human dead, the preparation of the human dead for the funeral service, burial or cremation, the making of arrangements for the funeral service or for the financing of the funeral service and the selling or making of financial arrangements for the sale of funeral supplies to the public. The practice of funeral services includes the sale of caskets to the public.

"Preneed" means at any time other than at-need.

"Preneed funeral contract" means any agreement where payment is made by the consumer prior to the receipt of services or supplies contracted for, which evidences arrangements prior to death for: (i) the providing of funeral services or (ii) the sale of funeral supplies.

"Preneed funeral planning" means the making of arrangements prior to death for: (i) the providing of funeral services or (ii) the sale of funeral supplies.

"Solicitation" means initiating contact with consumers with the intent of influencing their selection of a funeral plan or funeral service provider.

Tab 4

DRAFT

Department of Health Professions
Board of Health Professions
REGULATORY RESEARCH COMMITTEE
Public Hearing-Funeral Multi-Level Licensure
May 28, 2015

TIME AND PLACE:	The meeting was called to order at 9:00 a.m. on Thursday, May 28, 2015, Department of Health Professions, 9960 Mayland Drive, 2nd Floor, Board Room, Henrico, VA, 23233.
PRESIDING OFFICER:	Virginia Van de Water, Ph.D., Chair
MEMBERS PRESENT:	Virginia Van de Water, Ph.D., Board of Psychology James Watkins, Board of Dentistry James Wells, Citizen Member Frazier Frantz, Board of Medicine
MEMBERS NOT PRESENT:	Ellen Shinaberry, Board of Pharmacy Yvonne Haynes, Board of Counseling
STAFF PRESENT:	Elizabeth A. Carter, Ph.D., Executive Director for the Board Laura Jackson, Operations Manager Lisa Hahn, Executive Director Board of Funeral Directors and Embalmers Lynne Helmick, Deputy Executive Director, Board of Funeral Directors and Embalmers Missy Courier, Deputy Executive Director, Board of Funeral Directors and Embalmers
OTHERS PRESENT:	Isabel Berney, Blacksburg, VA Sondra Holmes, Virginia Beach, VA Scott Johnson, First Choice Consulting for SCI Sammy Oakey, Roanoke, VA Veronica Wemath, Newport News, VA Paul Hazelgrove, SCI Virginia Bob Brown, Richmond, VA Larry Spiaggi, Richmond,VA Suzanne Stuart, Williamsburg, VA Michael Doherty, Fairfax, VA Robert Gallagher, Fairfax, VA Randy Minter, Warrenton,VA Bruce Keeney, Association of Independent Funeral Homes of Virginia Robert Finch, Jr., VFDA Tim Smith, Hampton, VA Elizabeth Haire, Keswick, VA Bill Faulkner, Jr., Virginia Beach, VA Rhonda Keyes Pleasants, Virginia Morticians Association and JTCC/TCC Fred Caston, Virginia Mortician Association

Blair Nelsen, SCI
Barry D. Robinson, VMA
Kirk Wilkerson, NVDMA

QUORUM: A quorum was established with four members in attendance.

EMERGENCY EGRESS: Dr. Van de Water provided emergency evacuation instructions.

PUBLIC COMMENT:

Isabel Berney, Blacksburg, VA
Ms. Berney is in favor of establishing a new level of licensure.

Sandra Holmes, Hampton Roads, VA
Ms. Holmes is in favor of establishing a new level of licensure.

Scott Johnson, First Choice Consulting for SCI
Mr. Johnson is in favor of establishing a new level of licensure.

Sammy Oakey, Roanoke, VA
Mr. Oakey is in favor of establishing a new level of licensure.

Veronica Wemath, Newport News, VA
Ms. Wemath is in favor of establishing a new level of licensure.

Paul Hazelgrove, SCI Virginia
Mr. Hazelgrove is in favor of establishing a new level of licensure.

Bob Brown, Richmond, VA
Mr. Brown is in favor of establishing a new level of licensure.

Larry Spiaggi, Legislative Chair for Virginia Funeral Directors Association
After polling the Association, Mr. Spiaggi stated that they are in opposition to the new level of licensure.

Suzanne Stuart, Williamsburg, VA
Ms. Stuart is in favor of establishing a new level of licensure.

Michael Doherty, Fairfax, VA
Mr. Doherty stated that there is a work force waiting list in Fairfax and that embalming still needs to be done even though cremation rates are increasing.

Robert Gallagher, Fairfax, VA
Mr. Gallagher is in opposition to the new level of licensure.

Randy Minter, Warrenton, VA
Mr. Minter is in opposition to establishing a new level of licensure.

Bruce Keeney, Association of Independent Funeral Homes of Virginia
Mr. Keeney stated that the Association of Independent Funeral Homes of Virginia currently has no position as to the necessity of this new level of licensure.

Robert Finch, Jr., President, VFDA
Mr. Finch stated that the Virginia Funeral Directors Association is in opposition to the new level of licensure.

Tim Smith, Hampton, VA
Mr. Smith is in opposition to establishing a new level of licensure.

Elizabeth Haire, Keswick, VA
Ms. Haire is in favor of establishing a new level of licensure.

Bill Faulkner, Jr., Virginia Beach, VA
Mr. Faulkner stated that he is in favor of establishing a new level of licensure.

Rhonda Keyes Pleasants, Virginia Morticians Association and JTCC/TCC
Ms. Keyes stated that the Virginia Morticians Association is in opposition of establishing a new level of licensure.
Ms. Keyes also stated that The Virginia Community College System, specifically John Tyler Community College and Tidewater Community College express that there are lot of steps that must be completed prior to the VCCS agreeing to establish a curriculum for a new level of licensure.

Fred Caston, Virginia Mortician Association
Mr. Caston stated that the Virginia Morticians Association is in opposition to establishing a new level of licensure.

Blair Nelsen, SCI
Mr. Nelsen stated that there has been a decline in the number of mortuary school graduates and a decline in the number of funeral homes in the state. Mr. Nelsen would like to see the ability for specialization in the funeral industry, similar to physicians and nurses.

Written comment will be received until 5:00 p.m. on June 30, 2015.

ADJOURNMENT: With no other business to conduct, the public hearing adjourned at 10:37 a.m.

Virginia Van de Water, Ed. D
Chair

Elizabeth A. Carter, Ph.D.
Executive Director for the Board

Tab 5

Commonwealth of Virginia - Department of Health Professions
Funeral Inspection Report

www.dhp.virginia.gov
804-367-4400

Date	Time	Inspection Hours

Name of Funeral Establishment or Branch	☐ Establishment: License No 0501 ☐ PENDING			Exp:
	☐ Branch: License No 0511 ☐ PENDING			Exp:
Street Address	City	State VIRGINIA	ZIP	Telephone
Manager	License No 0502	Expiration Date		Fax
Type of Inspection ☐ New/COL ☐ Routine ☐ Reinspection ☐ Change of Owner ☐ Other (Describe)				Email

C = Compliant NC = Not Compliant N/A = Not Applicable or Not Reviewed

C	NC	NA	LAW/REGULATION	ESTABLISHMENT LICENSE & MANAGER OF RECORD
☐	☐	☐	§54.1-2800	FOR NEW OR CHANGE OF LOCATION INSPECTIONS ONLY: A Certificate of Occupancy (CO) issued by the local building official. (The Board needs a copy of the CO)
☐	☐	☐	18VAC65-20-50	Each licensee shall post an original or photocopy of his license in a place conspicuous to consumers of funeral services in each establishment or branch where he is employed.
☐	☐	☐	18VAC65-20-50	The establishment license shall be posted in a place conspicuous to consumers of funeral services.
☐	☐	☐	18VAC65-20-170	Except as provided in §54.1-2810 of the Code of Virginia, every funeral service establishment and every branch or chapel of such establishment, regardless of how owned, shall have a separate manager of record who has responsibility for the establishment as prescribed in 18VAC65-20-171.
☐	☐	☐	18VAC65-20-171	Every funeral establishment shall have a manager of record who is employed full time by and in charge of the establishment. The manager shall be fully accountable for the operation of the establishment. The MOR's duties include but are not limited to: • Maintenance of facility • Retention of reports and documents as prescribed by the board in 18VAC65-20-700 • Reporting to the board of any changes in information as required by 18VAC65-20-60
				STANDARDS FOR EMBALMING
C	NC	NA	LAW/REGULATION	EMBALMING REPORT & DOCUMENTATION OF EMBALMING
☐	☐	☐	18VAC65-20-510	Every funeral establishment shall record and maintain a separate, identifiable report for each embalming procedure conducted, which shall at a minimum include the following information: 1. The name of the deceased and the date of death; 2. The date and location of the embalming; 3. The name and signature of the embalmer and the Virginia license number of the embalmer; and 4. If the embalming was performed by a funeral service intern, the name and signature of the supervisor.
☐	☐	☐	§54.1-2811.1	A dead human body shall be maintained in refrigeration and shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order.
C	NC	NA	LAW/REGULATION	PREPARATION ROOM REQUIREMENTS
☐	☐	☐	18VAC65-20-540	Every funeral service establishment at which embalming of dead human bodies is performed shall have at least one room used exclusively for embalming or preparation of the body.
☐	☐	☐	18VAC65-20-540	All functions connected with embalming shall be performed within the preparation room.
☐	☐	☐	18VAC65-20-540	The following are required of the preparation room or rooms: 1. The walls shall extend floor to ceiling; 2. The floor and wall surfaces shall be of a material or covered by a material impervious to water; and 3. The material shall extend from wall to wall with all joints tight and sanitary.
☐	☐	☐	18VAC65-20-570	The preparation room or rooms shall be kept in a clean and sanitary condition at all times, subject to inspection.

STANDARDS FOR EMBALMING			
C	NC	NA	LAW / REGULATION	CONDITIONS OF PREPARATION ROOM
☐	☐	☐	18VAC65-20-570	Inventories of embalming and preparation materials shall be stored in a container and in a manner that makes them impervious to water and protects them from contamination.
☐	☐	☐	18VAC65-20-570	Any items or supplies not directly used in an embalming procedure shall not be stored in the preparation room.
C	NC	NA	LAW / REGULATION	PREPARATION ROOM EQUIPMENT
				The preparation room or rooms shall be equipped with:
☐	☐	☐	18VAC65-20-580	A ventilation system which operates and is appropriate to the size and function of the room
☐	☐	☐	18VAC65-20-580	Running hot and cold water
☐	☐	☐	18VAC65-20-580	Flush or slop sink connected with public sewer or with septic tank where no public sewer is available
☐	☐	☐	18VAC65-20-580	Metal, fiberglass or porcelain morgue table
☐	☐	☐	18VAC65-20-580	Covered waste container
☐	☐	☐	18VAC65-20-580	Instruments and apparatus for the embalming process
☐	☐	☐	18VAC65-20-580	A means or method for the sterilization of reusable instruments by chemical bath or soak; autoclave (steam); or ultraviolet light
☐	☐	☐	18VAC65-20-580	Disinfectants and antiseptic solutions
☐	☐	☐	18VAC65-20-580	Clean gowns or aprons, preferably impervious to water
☐	☐	☐	18VAC65-20-580	Rubber gloves for each embalmer or intern using the room
☐	☐	☐	18VAC65-20-580	An electric aspirator or hydroaspirator equipped with a vacuum breaker
☐	☐	☐	18VAC65-20-580	An eye wash station that is readily accessible
☐	☐	☐	18VAC65-20-580	A standard first aid kit which is immediately accessible, either in the preparation room or outside the door to the preparation room
C	NC	NA	LAW / REGULATION	DISPOSAL OF WASTE MATERIALS
☐	☐	☐	18VAC65-20-590	Disposal of all waste materials shall be in conformity with local, state, and federal law and regulations to avoid contagion and the possible spread of disease. Upon inspection, the establishment shall provide evidence of compliance, such as a copy of a contract with a medical waste disposal company.
RETENTION OF DOCUMENTS				
C	NC	NA	LAW / REGULATION	The following retention schedule shall apply to retention of embalming reports, price lists, and itemized statements:
☐	☐	☐	18VAC65-20-700	Price lists shall be retained for three years after the date on which they are no longer effective
☐	☐	☐	18VAC65-20-700	Itemized statements shall be retained for three years from the date on which the arrangements were made
☐	☐	☐	18VAC65-20-700	Embalming reports shall be retained at the location of the embalming for three years after the date of the embalming
☐	☐	☐	18VAC65-20-700	Documents shall be maintained on the premises of the funeral establishment and made available for inspection.
C	NC	NA	LAW / REGULATION	HANDLING & STORAGE OF HUMAN REMAINS
☐	☐	☐	§54.1-2811.1	Upon taking custody of a dead human body, a funeral service establishment shall maintain such body in a manner that provides complete coverage of the body and that is resistant to leakage or spillage, except during embalming or preparation of an unembalmed body for final disposition; restoration and dressing of a body in preparation for final disposition; and viewing during any visitation and funeral service.
☐	☐	☐	§54.1-2811.1	If a dead human body is to be stored for more than 48 hours prior to disposition, a funeral services establishment having custody of such body shall ensure that the dead human body is maintained in refrigeration at no more than approximately 40 degrees Fahrenheit or embalmed. A dead human body shall be maintained in refrigeration and shall not be embalmed in the absence of express permission by a next of kin of the deceased or a court order. **NOTE: Guidance Document 65-11 Rev 4-13-10:** **The Board agreed to accept a 10% variance of the required temperature.**
☐	☐	☐	§54.1-2811.1	If a dead human body is to be stored for more than 10 days prior to disposition at a location other than a funeral service establishment, the funeral service establishment shall disclose to the contract buyer the location where the body is to be stored and the method of storage.
☐	☐	☐	§54.1-2811.1	Funeral services establishments, crematories, or transportation services shall not transport animal remains together with dead human bodies. Further, animal remains shall not be refrigerated in a unit where dead human bodies are being stored.

C	NC	NA	LAW/REGULATION	STANDARDS FOR REGISTERED CREMATORIES OR FUNERAL ESTABLISHMENTS RELATED TO CREMATION
				Authorization to cremate
☐	☐	☐	18VAC65-20-436 (A)	A crematory shall require a cremation authorization form executed in person or electronically in a manner that provides a copy of an original signature of the next-of-kin or his representative, who may be any person designated to make arrangements for the decedent's burial or the disposition of his remains pursuant to §54.1-2825, an agent named in an advance directive pursuant to §54.1-2984, or a sheriff, upon court order, if no next-of-kin, designated person or agent is available.
☐	☐	☐	18VAC65-20-436 (A)	The cremation authorization form shall include an attestation of visual identification of the deceased from a viewing of the remains or a photograph signed by the person making the identification.
☐	☐	☐	18VAC65-20-436 (A)	The identification attestation shall either be given on the cremation authorization form or on an identification form attached to the cremation authorization form.
☐	☐	☐	18VAC65-20-436 (A)	In the event visual identification is not feasible, a crematory may use other positive identification of the deceased as a prerequisite for cremation, pursuant to §54.1-2818.1.
C	NC	NA	LAW/REGULATION	Handling of Human Remains
☐	☐	☐	18VAC65-20-436 (C)	Human remains shall be transported to a crematory in a cremation container and shall not be removed from the container unless the crematory has been provided with written instructions to the contrary by the person who signed the authorization form.
☐	☐	☐	18VAC65-20-436 (C)	A cremation container shall substantially meet all the following standards: ◦ Be composed of readily combustible materials suitable for cremation ◦ Be able to be closed in order to provide complete covering for the human remains ◦ Be resistant to leakage or spillage • Be rigid enough for handling with ease
☐	☐	☐	18VAC65-20-436 (C)	The identification of the decedent shall be physically attached to the remains and appropriate identification placed on the exterior of the cremation container.
				DISCLOSURES
C	NC	NA	LAW/REGULATION	18VAC65-20-630 Funeral providers shall make all required disclosures and provide accurate information from price lists pursuant to the rules of the Federal Trade Commission. Price lists shall comply with requirements of the FTC and shall contain the information included in Appendices I, II, and III of this chapter.
				GENERAL PRICE LIST
☐	☐	☐	APPENDIX I	Caption identifying the list as the General Price List.
☐	☐	☐	APPENDIX I	Name, address & telephone number of funeral establishment.
☐	☐	☐	APPENDIX I	Effective date of the pricelist.
C	NC	NA	LAW/REGULATION	SECTION I – GENERAL INFORMATION
☐	☐	☐	APPENDIX I	**Required Disclosure:** *"The goods and services shown below are those we can provide to our customers. You may choose only the items you desire. However, any funeral arrangements you select will include a charge for our basic services and overhead. If legal or other requirements mean you must buy any items you did not specifically ask for, we will explain the reason in writing on the statement we provide describing the funeral goods and services you selected."*
☐	☐	☐	§54.1-2806 (24)	"Certain funeral services may be provided off-premises by other funeral service providers."
C	NC	NA	LAW/REGULATION	SECTION II - PROFESSIONAL SERVICES OF FUNERAL DIRECTOR AND STAFF
☐	☐	☐	APPENDIX I	Basic Services of Funeral Director and Staff $_____ *"This fee for our basic services and overhead will be added to the total cost of the funeral arrangements you select. (This fee is already included in our charges for direct cremations, immediate burials, and forwarding or receiving remains.)"* OR *Please note that a fee of $_____ for the use of our basic services and overhead is included in the price of our caskets. This same fee shall be added to the total cost of your funeral arrangements if you provide the casket."*
☐	☐	☐	APPENDIX I	Our services include: (*Note: List what charge for basic services includes)

	LAW /R EGULATION	SECTION III – FUNERAL HOME FACILITIES
☐ ☐ ☐	APPENDIX I	Price list includes charge and description for: 1. Facilities and staff for visitation and viewing 2. Facilities and staff for funeral ceremony 3. Facilities and staff for memorial service 4. Equipment and staff for graveside service
☐ ☐ ☐	APPENDIX I	(*Note: If you have additional charges such as facilities and staff for home/church viewing, or a charge for additional staff per person or through calculation of manhours, etc., add here as extra items. If you have a charge for interment, add here. Describe what charges include.)
C NC NA	LAW / REGULATION	SECTION IV - EMBALMING
☐ ☐ ☐	APPENDIX I	"Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement that does not require you to pay for it, such as direct cremation or immediate burial.
☐ ☐ ☐	APPENDIX I	Embalming charge for normal and autopsy remains. (*Note: If the cost for embalming is the same for normal and autopsied remains, only one price may be listed)
C NC NA	LAW / REGULATION	**SECTION V - OTHER PREPARATION OF THE DECEASED**
☐ ☐ ☐	APPENDIX I	Description and price of other preparation if provided. (*Note: List below each preparation service that you offer and the price. If you do not charge for other preparation, remove this section.)
C NC NA	LAW /R EGULATION	**SECTION VI – IMMEDIATE BURIAL**
☐ ☐ ☐	APPENDIX I	Price range for immediate burial and what is included in the charge. (*Note: A price range must be given for this service. Your prices should range from your immediate burial package with container provided by purchaser to your immediate burial package plus your most expensive casket.)
☐ ☐ ☐	APPENDIX I	Our charges include: (*Note: List under each category what the charge includes) ○ Immediate burial with container provided by purchaser ○ Immediate burial with lowest priced alternative container (*Note: If an alternative container is not offered, this line item may be omitted; if an alternative container is offered, include a brief description.)
C NC NA	LAW / REGULATION	**SECTION VII – DIRECT CREMATION**
☐ ☐ ☐	APPENDIX I	Price range for direct cremation and what is included in the charge. Note: A price range must be given for a direct cremation. Your prices should range from direct cremation with a container provided by the purchaser to the price for direct cremation plus the highest priced casket acceptable for cremation.
☐ ☐ ☐	APPENDIX I	~~"State and local laws do not require a casket for direct cremation.~~ *If you want to arrange a direct cremation, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The containers we provide are [specify containers]."*
☐ ☐ ☐	APPENDIX I	Describe the services included for each category listed below. ○ Direct cremation with container provider by the purchaser. • Direct cremation with each alternative container specified in the disclosure (*A price and description for alternative container should be provided)
C NC NA	LAW /R EGULATION	**SECTION VIII - TRANSFER OF REMAINS TO FUNERAL ESTABLISHMENT**
☐ ☐ ☐	APPENDIX I	Charge and description for transfer of remains to a funeral establishment. (*Note: This is added only when it is not included under professional services. You must explain what this charge includes if listed separately.)
C NC NA	LAW /R EGULATION	**SECTION IX - FORWARDING REMAINS TO ANOTHER FUNERAL ESTABLISHMENT**
☐ ☐ ☐	APPENDIX I	Charge and description for forwarding remains to another funeral establishment.
C NC NA	LAW /R EGULATION	**SECTION X - RECEIVING REMAINS FROM ANOTHER FUNERAL ESTABLISHMENT**
☐ ☐ ☐	APPENDIX I	Charge and description for receiving remains from another funeral establishment.

C	NC	NA	LAW / REGULATION	SECTION XI - AUTOMOTIVE EQUIPMENT AND SERVICES
☐	☐	☐	APPENDIX I	Charge and description for automotive equipment and services (*Note: Specify a range of miles for local service. If a fee is charged beyond local miles, please specify the fee per mile. The cost of any vehicle that you must rent should be included on the itemized statement as a cash advance item.) • Use of hearse • Use of limousine • Other automotive equipment and services (*Note: You should provide a description and price for each automotive equipment and service listed.)
C	NC	NA	LAW / REGULATION	SECTION XII – FUNERAL MERCHANDISE
☐	☐	☐	APPENDIX I	Caskets: Price range and *"A complete price list will be provided at the funeral establishment."*
☐	☐	☐	APPENDIX I	Outer Burial Container: Price range and *"A complete price list will be provided at the funeral establishment."* *"In most areas of the country, state or local law does not require you to buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave liner or a burial vault will satisfy these requirements."*
☐	☐	☐	APPENDIX I	Other Funeral Merchandise: (*Note: List all other merchandise that you offer including acknowledgment cards, register book, memorial folders, etc. and include the price.)
C	NC	NA	LAW / REGULATION	CASKET PRICE LIST OUTER BURIAL CONTAINER PRICE LIST (If not included in the general Price List)
☐	☐	☐	APPENDIX II	Effective date of Casket Price List
☐	☐	☐	APPENDIX II	Effective date of Outer Burial Container Price List
☐	☐	☐	APPENDIX II	Name, address & telephone number of funeral establishment.
☐	☐	☐	APPENDIX II	Caption identifying price list as casket or Outer Burial Container Price list.
☐	☐	☐	APPENDIX II	Price Lists include manufacturer, price of casket, and sufficient information to describe the casket, alternative container, or outer burial container.
☐	☐	☐	APPENDIX II	Outer Burial Price Container List includes the statement *~~"In most areas of the country~~, state or local law does not require you to buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave liner or a burial vault will satisfy these requirements."*
C	NC	NA	LAW / REGULATION	ITEMIZED STATEMENT OF FUNERAL GOODS AND SERVICES
☐	☐	☐	APPENDIX III	Itemized Statement is provided to the party contracting for funeral arrangements.
☐	☐	☐	APPENDIX III	Name, address & telephone number of funeral establishment.
☐	☐	☐	APPENDIX III	Itemized Statement is signed by Licensed Funeral Director or Funeral Service Provider and party contracting for funeral arrangements.
☐	☐	☐	APPENDIX III	*"If you selected a funeral that may require embalming, such as a funeral with viewing, you may have to pay for embalming. You do not have to pay for embalming that you did not approve if you selected arrangements such as direct cremation or immediate burial. If we charged for embalming, we will explain why below."*
☐	☐	☐	APPENDIX III	*"We charge you for our services in obtaining:"* (List each cash advance item. If you do not charge for your services and do not receive a commission or rebate from the third party, you do not have to use this disclosure.)
☐	☐	☐	APPENDIX III	*"Charges are for those items that you selected or that are required. If we are required by law or by a cemetery or crematory to use any items, we will explain the reason in writing below:"*
☐	☐	☐	APPENDIX III	*"The only warranty on the casket or outer burial container, or both, sold in connection with this service is the express written warranty if any, granted by the manufacturer. This Funeral Home makes no warranty, express or implied, with respect to the casket or outer burial container."*
C	NC	NA	LAW / REGULATION	PRENEED RECORDS - GENERAL
☐	☐	☐	18VAC65-30-60	Preneed contracts and reporting documents shall be retained on the premises of the establishment for one year after the death of the contract beneficiary
☐	☐	☐	18VAC65-30-60	All preneed records shall be available for inspection by the Department of Health Professions.
☐	☐	☐	18VAC65-30-70	A contract provider shall keep a chronological or alphabetical listing of all preneed contracts. The listing shall include the following: 1. Name of contract buyer; 2. Name of contract beneficiary; 3. Date of contract; 4. How contract was funded; 5. Whether up to 10% of funds are retained by the contract provider for contracts funded through trust; and 6. Whether funeral goods and supplies are stored for the contract buyer.

	LAW / REGULATION	PRENEED CONTRACTS
☐ ☐ ☐	18VAC65-30-80	In addition to requirements of §54.1-2820 of the Code of Virginia, the contract shall contain the following: 1. The date of the contract; 2 Whether or not the price of the supplies and services purchased is guaranteed; 3. The appointee agreement when applicable; and 4. Signatures of the contract seller and the contract buyer.
☐ ☐ ☐	§54.1-2820	It shall be unlawful for any person residing or doing business within this Commonwealth, to make, either directly or indirectly by any means, a preneed funeral contract unless the contract: 1. Is made on forms prescribed by the Board and is written in clear, understandable language and printed in easy-to-read type, size and style. 2. Identifies the seller, seller's license number and contract buyer and the person for whom the contract is purchased if other than the contract buyer 3. Contains a complete description of the supplies or services purchased 4. Clearly discloses whether the price of the supplies and services purchased is guaranteed; 5. States if funds are required to be trusted pursuant to § 54.1-2822, the amount to be trusted, the name of the trustee, the disposition of the interest, the fees, expenses and taxes which may be deducted from the interest and a statement of the buyer's responsibility for taxes owed on the interest; 6. Contains the name, address and telephone number of the Board and lists the Board as the regulatory agency which handles consumer complaints; 7. Provides that any person who makes payment under the contract may terminate the agreement at any time prior to the furnishing of the services or supplies contracted for except as provided pursuant to subsection B of §54.1-2820; if the purchaser terminates the contract within 30 days of execution, the purchaser shall be refunded all consideration paid or delivered, together with any interest or income accrued thereon: if the purchaser terminates the contract after 30 days, the purchaser shall be refunded any amounts required to be deposited under 54.1-2822, together with any interest or income accrued thereon. 8. Provides that if the particular supplies and services specified in the contract are unavailable at the time of delivery, the seller shall be required to furnish supplies and services similar in style and at least equal in quality of material and workmanship and the representative of the deceased shall have the right to choose the supplies or services to be substituted 9. Discloses any penalties or restrictions, including but not limited to geographic restrictions or the inability of the provider to perform, on the delivery of merchandise, services or prearrangement guarantee
C NC NA	LAW / REGULATION	PRENEED CONTRACTS
☐ ☐ ☐	18VAC65-30-200	**Supplies & Services:** If the contract seller will not be responsible for furnishing the supplies and services to the contract buyer, the contract seller shall attach to the preneed funeral contract a copy of the contract seller's agreement with the contract provider
☐ ☐ ☐	§54.1-2820 18VAC65-30-230	Complies with all disclosure requirements imposed by the Board. (Question and answer format required.)
☐ ☐ ☐	18VAC65-30-120	**Escrow account:** Within five banking days after the day of receipt of any money from the contract buyer and until the time the money is invested in a trust, life insurance, or annuity policy, the contract seller or the contract provider shall deposit the money into an escrow account in a bank or savings institution approved to do business in the Commonwealth.
☐ ☐ ☐	18VAC65-30-130	**Real Estate** 1. The preneed contract shall be recorded as an attachment to the deed whereby the real estate is conveyed; and 2. The deed shall be recorded in the clerk's office in the circuit court of the city or county in which the real estate being conveyed is located.
☐ ☐ ☐	18VAC65-30-140	**Personal Property** 1. Personal property shall be transferred by: a. Actual delivery of the personal property; or b. Transfer of the title to the personal property. 2. Within 30 days of receiving the personal property or the title to the personal property, the licensee or person delivering the property shall: a. Execute a written declaration of trust setting forth the terms, conditions, and considerations upon which the personal property is delivered; and b. Record the trust agreement in the clerk's office of the circuit court of the locality in which the person delivering the property is living; or c. Record the preneed contract in the clerk's office of the circuit court of the locality in which the person delivering the property or trust agreement is living provided that the preneed contract sets forth the terms, conditions, and considerations of the trust.
☐ ☐ ☐	§54.1-2820 18VAC65-30-170	States if funds are required to be trusted pursuant to § 54.1-2822, the amount to be trusted, the name of the trustee, the disposition of the interest, the fees, expenses and taxes which may be deducted from the interest and a statement of the buyer's responsibility for taxes owed on the interest If funds are to be **trusted**, the following information shall be disclosed in writing to the contract buyer: 1. The amount to be trusted; 2. The name of the trustee; 3. The disposition of the interest; 4. The fees, expenses, and taxes which may be deducted from the interest; 5. Whether up to 10% is retained by the contract provider; and

		6. A statement of the contract buyer's responsibility for taxes owed on the interest.
☐ ☐ ☐	18VAC65-30-180	If a **life insurance or annuity policy** is used to fund the preneed funeral contract, the contract shall contain the following information: 1. Name of the contract provider; 2. Name and funeral license number of contract seller; 3. Place of employment of contract seller; 4. Name of insurance agent and agent's insurance license number; 5. Insurance agent's employer and insurance company represented by insurance agent; and 6. Identification as to whether the insurance agent is a funeral service licensee and, if so, the funeral service license number.

Comments

☐ **Deficiencies Identified**

Signature of Inspector

Signature & Title of Applicant

This facility has been inspected by an inspector of the Department of Health Professions. The results of the inspection have been noted. I acknowledge that the noted conditions have been deemed by the inspector as not being in compliance and have been explained to me.

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Perimeter Center
9960 Mayland Drive, Suite 300 – Henrico, Virginia 23233-1463
E-Mail: FanBd@dhp.virginia.gov Website: www.dhp.virginia.gov Phone: 804-367-4479

APPENDIX I

GENERAL PRICE LIST

Note to Establishments: The following General Price List has been prepared as a guideline. All General Price Lists must contain at least the following content if you offer the goods and services for sale at your establishment. You may use any format arrangement you choose and may add to this information to fit your establishment's services.

This sample form has notes throughout that are for your information only and are not intended to be included on the form when you prepare the form for use at your establishment. The board has marked these notes with asterisks (*).

The statements in italics are required by the Federal Trade Commission and the Board. The FTC disclosure requirements must be placed under the appropriate category as indicated on this sample form.

APPENDIX I

Any Funeral Home

Main Street

Anytown, Virginia

Telephone Number

GENERAL PRICE LIST

These prices are effective as of _____ (Date)

(Prices are subject to change without prior notice)

I. General Information:

Required Disclosure: *"The goods and services shown below are those we can provide to our customers. You may choose only the items you desire. However, any funeral arrangements you select will include a charge for our basic services and overhead. If legal or other requirements mean you must buy any items you did not specifically ask for, we will explain the reason in writing on the statement we provide describing the funeral goods and services you selected."*

"Certain funeral services may be provided off-premises by other funeral service providers."

Optional Disclosure: "This list does not include prices for certain items that you may ask us to buy for you such as cemetery or crematory services, flowers, and newspaper notices. The prices for these items will be shown on your bill or the statement describing the funeral goods and services you selected."

II. Professional Services of Funeral Director and Staff

A. Basic Services of Funeral Director and Staff $ _____

"This fee for our basic services and overhead will be added to the total cost of the funeral arrangements you select. (This fee is already included in our charges for direct cremations, immediate burials, and forwarding or receiving remains.)" OR

Please note that a fee of $_____ for the use of our basic services and overhead is included in the price of our caskets. This same fee shall be added to the total cost of your funeral arrangements if you provide the casket."

Our services include: (*Note: List what charge for basic services includes)

III. Funeral Home Facilities

A. Facilities and staff for visitation and viewing $ _____

Our charge includes:

B. Facilities and staff for funeral ceremony $ _____

Our charge includes:

C. Facilities and staff for memorial service $ _____

Our charge includes:

D. Equipment and staff for graveside service $ _____

Our charge includes:

(*Note: If you have additional charges such as facilities and staff for home/church viewing, of a charge for additional staff per person or through calculation of manhours, etc., add here as extra items. If you have a charge for interment, add here. Describe what charges include.)

IV. Embalming

"~~Except in certain special cases,~~ embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement that does not require you to pay for it, such as direct cremation or immediate burial."

A. Normal remains. $_____

B. Autopsy remains. $_____

(*Note: If the cost for embalming is the same for normal and autopsied remains, only one price may be listed)

V. Other Preparation of the Deceased

(*Note: List below each preparation service that you offer and the price. If you do not charge for other preparation, remove this section.)

A. $_____

B. $_____

C. $_____

VI. Immediate Burial (*List price range) $ _____

(*Note: A price range must be given for this service. Your prices should range from your immediate burial package with container provided by purchaser to your immediate burial package plus your highest priced casket.)

Our charges include: (*Note: List under each category what the charge includes)

A. Immediate burial with container provided by purchaser $_____

B. Immediate burial with lowest priced alternative container $_____

(*Note: If an alternative container is not offered, this line item may be omitted; if an alternative container is offered, include a brief description.)

C. Immediate burial with highest priced casket $_____

VII. Direct Cremation (*List price range) $_____ to $_____

"State and local laws do not require a casket for direct cremation. If you want to arrange a direct cremation, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The containers we provide are [specify containers]."

(*Note: A price range must be given for a direct cremation. Your prices should range from direct cremation with a container provided by the purchaser to the price for direct cremation plus the highest priced wooden casket acceptable for cremation or highest priced cremation casket. Describe the services included for each category listed below.)

A. Direct cremation with container provider by the purchaser. $_____

B. Direct cremation with (list each alternative container specified in the above disclosure) $_____

(*A price and description for alternative container should be provided)

C. Direct cremation with highest priced wooden casket acceptable for cremation or highest priced cremation casket $_____

VIII. Transfer of Remains to Funeral Establishment $_____

(*Note: This is added only when it is <u>not</u> included under professional services. You must explain what this charge includes if listed separately.)

IX. Forwarding Remains to Another Funeral Establishment $_____

Our charge includes:

X. Receiving Remains from Another Funeral Establishment

Our charge includes: $_____

XI. Automotive Equipment and Services

(*Note: Specify a range of miles for local service. If a fee is charged beyond local miles, please specify the fee per mile. The cost of any vehicle that you must rent should be included on the itemized statement as a cash advance item.)

A. Use of hearse $_____

B. Use of limousine $_____

C. Other automotive equipment and services $_____

(*Note: You should provide a description and price for each automotive equipment and service listed.)

XII. Funeral Merchandise

A. Caskets $_____ to $_____

"A complete price list will be provided at the funeral establishment."

B. Outer Burial Container $_____ to $_____

"A complete price list will be provided at the funeral establishment."

~~"In most areas of the country,~~ state or local law does not require you to buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave liner or a burial vault will satisfy these requirements."

C. Other funeral merchandise

(*Note: List all other merchandise that you offer including acknowledgment cards, register book, memorial folders, etc. and include the price.)

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

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APPENDIX I

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Main Street

Anytown, Virginia

Telephone Number

GENERAL PRICE LIST

These prices are effective as of _____ (Date)

(Prices are subject to change without prior notice)

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"Certain funeral services may be provided off-premises by other funeral service providers."

Optional Disclosure: "This list does not include prices for certain items that you may ask us to buy for you such as cemetery or crematory services, flowers, and newspaper notices. The prices for these items will be shown on your bill or the statement describing the funeral goods and services you selected."

II. Professional Services of Funeral Director and Staff

A. Basic Services of Funeral Director and Staff $ _____

"This fee for our basic services and overhead will be added to the total cost of the funeral arrangements you select. (This fee is already included in our charges for direct cremations, immediate burials, and forwarding or receiving remains.)" OR *Please note that a fee of $_____ for the use of our basic services and overhead is included in the price of our caskets. This same fee shall be added to the total cost of your funeral arrangements if you provide the casket."*

Our services include: (*Note: List what charge for basic services includes)

III. Funeral Home Facilities

A. Facilities and staff for visitation and viewing $ _____

Our charge includes:

B. Facilities and staff for funeral ceremony $ _____

Our charge includes:

C. Facilities and staff for memorial service $ _____

Our charge includes:

D. Equipment and staff for graveside service $ _____

Our charge includes:

(*Note: If you have additional charges such as facilities and staff for home/church viewing, of a charge for additional staff per person or through calculation of manhours, etc., add here as extra items. If you have a charge for interment, add here. Describe what charges include.)

IV. Embalming

"~~Except in certain special cases,~~ embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement that does not require you to pay for it, such as direct cremation or immediate burial."

A. Normal remains. $_____

B. Autopsy remains. $_____

(*Note: If the cost for embalming is the same for normal and autopsied remains, only one price may be listed)

V. Other Preparation of the Deceased

(*Note: List below each preparation service that you offer and the price. If you do not charge for other preparation, remove this section.)

A. $_____

B. $_____

C. $_____

VI. Immediate Burial (*List price range) $ _____

(*Note: A price range must be given for this service. Your prices should range from your immediate burial package with container provided by purchaser to your immediate burial package plus your highest priced casket.)

Our charges include: (*Note: List under each category what the charge includes)

A. Immediate burial with container provided by purchaser $_____

B. Immediate burial with lowest priced alternative container $_____

(*Note: If an alternative container is not offered, this line item may be omitted; if an alternative container is offered, include a brief description.)

C. Immediate burial with highest priced casket $_____

VII. Direct Cremation (*List price range) $_____ to $_____

"State and local laws do not require a casket for direct cremation. If you want to arrange a direct cremation, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The containers we provide are [specify containers]."

(*Note: A price range must be given for a direct cremation. Your prices should range from direct cremation with a container provided by the purchaser to the price for direct cremation plus the highest priced wooden casket acceptable for cremation or highest priced cremation casket. Describe the services included for each category listed below.)

A. Direct cremation with container provider by the purchaser. $_____

B. Direct cremation with (list each alternative container specified in the above disclosure) $_____

(*A price and description for alternative container should be provided)

C. Direct cremation with highest priced wooden casket acceptable for cremation or highest priced cremation casket $_____

VIII. Transfer of Remains to Funeral Establishment $_____

(*Note: This is added only when it is <u>not</u> included under professional services. You must explain what this charge includes if listed separately.)

IX. Forwarding Remains to Another Funeral Establishment $_____

Our charge includes:

X. Receiving Remains from Another Funeral Establishment

Our charge includes: $_____

XI. Automotive Equipment and Services

(*Note: Specify a range of miles for local service. If a fee is charged beyond local miles, please specify the fee per mile. The cost of any vehicle that you must rent should be included on the itemized statement as a cash advance item.)

A. Use of hearse $_____

B. Use of limousine $_____

C. Other automotive equipment and services $_____

(*Note: You should provide a description and price for each automotive equipment and service listed.)

XII. Funeral Merchandise

A. Caskets $_____ to $_____

"A complete price list will be provided at the funeral establishment."

B. Outer Burial Container $_____ to $_____

"A complete price list will be provided at the funeral establishment."

~~"In most areas of the country,~~ state or local law does not require you to buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave liner or a burial vault will satisfy these requirements."

C. Other funeral merchandise

(*Note: List all other merchandise that you offer including acknowledgment cards, register book, memorial folders, etc. and include the price.)

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS
Perimeter Center
9960 Mayland Drive, Suite 300 – Henrico, Virginia 23233-1463
E-Mail: FanBd@dhp.virginia.gov website: www.dhp.virginia.gov Phone: 804-367-4479

APPENDIX II

CASKET PRICE LIST

OUTER BURIAL CONTAINER PRICE LIST

Note to Establishments: The following Casket Price List and Outer Burial Container Price List has been prepared as a guideline. You must have lists that are identified separately for each or the Casket Price List may be included in the General Price List. All Casket Price Lists and Outer Burial Price Lists must contain at least the following content if you offer the goods and services for sale at your establishment. You may use any format arrangement you choose and may add to this information to fit your establishment's services.

These sample forms have notes throughout that are for your information only and are not intended to be included on the form when you prepare the form for use at your establishment. The board has marked these notes with asterisks (*).

The statements in italics are required by the Federal Trade Commission and the board. They may be placed in any location on the price lists.

Any Funeral Home

Main Street

Anytown, Virginia

Telephone Number

CASKET PRICE LIST

(* This price list may accompany or be included in the General Price List)

These prices are effective as of _____(Date)

(Prices are subject to change without prior notice)

Manufacturer	Description	Retail Price
*List Manufacturers	*Describe Casket or Alternative Containers	$_____

(*Note: You are required to list sufficient identifying information in order that your families can tell the difference between one casket or alternative container over another.)

Any Funeral Home

Main Street

Anytown, Virginia

Telephone Number

OUTER BURIAL CONTAINER PRICE LIST

(* This price list must accompany or be included in the General Price List)

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(Prices are subject to change without prior notice)

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Manufacturer	Description	Retail Price
*List Manufacturers	*Describe Containers	$_____

(*Note: You are required to list sufficient identifying information in order that your families can tell the difference between outer burial container over another.)

Rev. 03/19/2010

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*List Manufacturers	*Describe Containers	$_____

(*Note: You are required to list sufficient identifying information in order that your families can tell the difference between outer burial container over another.)

Virginia Board of Funeral Directors and Embalmers

Guidance on the Sale of Caskets

The Board permits casket stores to provide the sale of caskets to the public as long as they are licensed as an establishment or branch of an establishment and abide by the same laws and regulations as a licensee.

The Code of Virginia (§54.1-2800) defines "Practice of funeral services" as "engaging in the care and disposition of the human dead, the preparation of the human dead for the funeral service, burial or cremation, the making of arrangements for the funeral service or for the financing of the funeral service and the selling or making of financial arrangements for the sale of funeral supplies to the public."

Originally adopted June 10, 1998
Revised – June 3, 2008
Re-affirmed – January 13, 2015