

NEWS FROM THE STATE BOARD OF FUNERAL DIRECTING AND EMBALMING



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In the spirit of helping funeral establishments continue to gain compliance, let's identify the most common issues that have arisen since beginning the newest cycle of inspections. As has been outlined in an earlier article, the compliance issues primarily center around signage, preparation room requirements and the paperwork concerning pre-paid funeral arrangements.

Rule 18 — as you recall, states that ... No one shall be allowed in the preparation room while a dead human body is being prepared, except:

- Duly Registered Embalmers
- Registered Licensed Funeral Directors
- Registered Apprentices and Public Officials

Rule 39 — Rule regarding a funeral director, embalmer, assistant, or other employees or attendant providing, serving any food or liquid refreshments in connection with any burial or funeral.

Disclosure of Ownership — re: CMR 239-3.04 (2) — a sign displaying the names of all type 3 licensees who hold directly or indirectly a 10% or more interest positions in the funeral establishment. This sign also must include the names of any corporation, partnerships, limited liability companies, limited liability partnerships, associations, organizations or business entities.

Preparation Room— Some of the issues have centered around installing a rinse rimmed, flush style sink. There are several examples of this item that are compliant with the regulation so it is suggested to contact the Board or the Investigator should there be a question.

Proper ventilation, floor drains, drench showers and eye wash stations also comprise some of the shortfalls in many prep rooms. These systems have been a long-standing part of the CMRs and are in place to protect you, the practitioner. Correct installation and utilization will help each licensee continue to cope with the evolving blood-borne, pathological conditions that are part of the embalming process.

Pre-need Funds — As we know, the new pre-need regulations are currently being explained in several information sessions scheduled around the state. The bulk of the changes concern 100% trusting, i.e. depositing the entire amount received, and the actual type of acceptable trust account. I will leave this discussion for the Board to further delineate.

The common violations are centered around the lack of a signed Statement of Goods and Services, by both parties and the clear explanation of the funds on deposit. Some firms have continued to co-mingle funds and these firms do not maintain a separate written record which the regulations call for in terms of this type of account.

The overall lack of documentation in these files seems to indicate that we, as funeral directors, believe we will all live long enough to be able to explain what is to be done in the event of the death of a pre-need client and thus perform those services. We all know that isn't true. The need to clearly outline the expectations of the beneficiary of the pre-need, along with the future responsibilities of the funeral establishment, should always be the goal when accepting this awesome responsibility of providing future care for the consumer. ■

John W. Bresnahan

“ Life is not a journey to the grave with the intention of arriving safely in a pretty and well-preserved body, but rather to skid in broadside, thoroughly used up, totally worn out, and loudly proclaiming: “Wow – What a Ride!!!!” ”

– Anonymous –