NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-1-.04 Board Staff

<u>INTENDED ACTION:</u> The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-1-.04 titled "Board Staff".

<u>SUBSTANCE OF PROPOSED ACTION:</u> The Board proposes to amend Rule No. 395-X-1-.04 titled "Board Staff" to make a technical correction changing "associate director" to "associate executive directors" and "administrative assistant" to "administrative assistants and employees".

<u>TIME, PLACE, MANNER OF PRESENTING VIEWS:</u> Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, July 6, 2022

Place: 4276 Lomac Street, Montgomery, AL 36106

Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, July 6, 2022.

CONTACT PERSON AT AGENCY:

Charles M. Perine Executive Director 4276 Lomac Street Montgomery, AL 36106

Charles M. Perine
Executive Director

CHAPTER 395-X-1 BOARD AND ITS MEMBERS

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395-X-1-.04 Board Staff. The Board shall employ an executive director and an associate executive directors to operate the Board office. They may also employ an administrative assistants and employees to aid in the operation. The staff shall work at the pleasure of the Board and the Board shall set all conditions and policies of employment. The executive director has the capacity of Secretary of the Board office and has interim decision authority when the Board is not in session. All decisions made by the executive director are subject to Board approval. The associate executive directors shall aid the executive director in their duties.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§ 34-13-23, 34-13-26.

History: Amended: Filed August 9, 1985. Amended: Filed July 14, 2017; effective October

27, 2017. **Amended:** Filed May 18, 2022

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-2-.01 Application for License

395-X-2-.02 Renewal of License

395-X-2-.03 Fees

<u>INTENDED ACTION:</u> The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-2-.01 titled "Application for License", amend Rule No. 395-X-2-.02 titled "Renewal of License", and amend Rule No. 395-X-0-.03 titled "Fees".

SUBSTANCE OF PROPOSED ACTION: The Board proposes to amend Rule No. 395-X-2-.01 titled "Application for License" to set the passing score on all board exams as 75 percent or scaled as determined by the scoring method of the administering entity. The Board proposes to amend Rule No. 395-X-2-.02 titled "Renewal of License" to clarify the expiration date of licenses issued by the board and set the time licensees to be notified of renewals at 90 days before expiration. Set the requirements of a application, payment, background check, and passage of the law exam for the reactivation of an expired license or certificate. Sets the requirement of proof of continuing coverage of general liability insurance to be submitted with renewals after October 1, 2023 and coverage to be maintained for the duration of the licensing period. The Board proposes to amend Rule No. 395-X-2-.03 titled "Fees" by increasing fees that have not been increased in the last ten years to cover board expenses of operation and to clarify which fees are application fees.

<u>TIME, PLACE, MANNER OF PRESENTING VIEWS:</u> Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, July 6, 2022

Place: 4276 Lomac Street, Montgomery, AL 36106

Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, July 6, 2022.

CONTACT PERSON AT AGENCY:

Charles M. Perine Executive Director 4276 Lomac Street Montgomery, AL 36106

Charles M. Perine
Executive Director

CHAPTER 395-X-2 LICENSE

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395-X-204	Display of Licenses
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395-X-2-.01 Application for License.

Anyone wishing to apply for any type of license, registration, or certification that is issued by the Board, must:

- (1) Apply on a form supplied by the Board. Said applicant must meet and comply with all provisions of Title 34, Chapter 13, Code of Ala. 1975, relating to licensure and application thereof. No application is considered valid unless it is submitted to and received by the Board office.
- (2) The passing score for any Board examination shall be <u>either</u> a scaled score of 75 <u>or an average score of 75 percent, as determined by the scoring method used by the administering entity.</u>
- (3) The Board shall establish the beginning time of all examinations it administers. These examinations shall be completed within 210 minutes within said beginning time, as set by the Board, regardless of the length or number of sections of the examinations.
- (4) In addition to the application fee, the Board shall charge each applicant an examination fee of \$100.00 for each funeral directing or embalming exam taken.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-13-70(c) <u>34-13-73(c)</u>, 34-13-94(c). <u>34-13-94(c)</u>.

History: Amended: Filed August 9, 1985; August 8, 1986 (rule title changed from "Application of License" to "Application for License"); August 7, 1991. **Amended:** Filed August 10, 2004; effective September 14, 2004. **Amended:** Filed January 30, 2012; effective March 5, 2012. **Amended:** Filed July14, 2017; effective October 27, 2017. **Amended:** Filed

May 18, 2022

CHAPTER 395-X-2 LICENSE

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395-X-2-.02 Renewal of License.

- (1) All licenses and certifications expire each year on October 1. Commencing on October 1, 2018, all All licenses or certifications expire every two years on October 1, with the exception of apprentice certifications which expire every year on October 1.
- (2) Each license <u>or certification</u> must be renewed on or before October 1st September 1 of the <u>year in which it expires</u>, or it shall be considered <u>expired past due. and A past due license or certification</u> may only be renewed by <u>payment of paying all license renewal fees</u> and <u>penalty fees past due penalties by October 1. and meeting all requirements for delinquent renewal as provided in Code of Ala. 1975, §34-13-55.</u>
- (3) The Board shall provide notice by electronic format to each apprentice, funeral director, embalmer, and establishment at least sixty (60) ninety (90) days prior to the expiration date of said license that his or her renewal fee is due. Each license contains the expiration date and, therefore, failure to receive a renewal notice does not exempt a licensee from the required renewal of his/her license renewal requirements.
- (a) Apprentice certifications shall expire each year on October 1 and shall be renewed annually by October 1st.
- (4) A license or certification not renewed by October 1 of its expiration year is expired. Reactivation of an expired license or certification is at the discretion of, and subject to the approval of, the Board. To seek reactivation of an expired license or certification, a reactivation applicant must satisfactorily complete each of the following:
 - (a) Submit an application for reactivation on a form prescribed by the Board.
 - (b) Submit payment of all outstanding fees and penalties.
 - (c) Complete a background check in accordance with Title 34, Chapter 13 of the Code of Alabama.

- (d) Complete the Laws, Rules, and Regulation Exam with a passing score, if no score is on file.
- (e) Submit proof of completion of eight (8) hours of continuing education (in accordance with 395-X-2-.07) for the two-year licensing period immediately preceding the application for reactivation.
- (5) Commencing on October 1, 2023, all funeral establishments and mortuary services must include proof of continuing coverage of general liability insurance in the amount of at least one-million dollars (\$1,000,000) when seeking renewal of any funeral establishment license.

 Coverage must be maintained for the duration of the licensing period.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-16-53, 34-13-55, 34-13-113, 34-

<u>13-131</u>.

History: Amended: Filed August 9, 1985; August 8, 1986. Amended: Filed June 6, 2014;

effective July 11, 2014. Amended: Filed July 14, 2017; effective October 27, 2017.

Amended: Filed May 18, 2022

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395-X-207	Continuing Education
395-X-208	Cremationist.

395-X-2-.03 Fees.

(1) The fees to be charged by the Board before October 1, 2018 are as follows:

FEE	TYPE/PURPOSE	AMOUNT
Funeral Director Application Fee		\$100.00
Embalmer Application Fee		\$100.00
Apprentice Funeral Director / Apprentice	entice Embalmer Application Fee per certificate	\$20.00
Funeral Establishment Application	Fee	\$400.00
Funeral Director / Embalmer / Pract	tical Embalmer Renewal Fee per license	\$100.00
Funeral Establishment Renewal Fee	•	\$250.00
Funeral Director Apprentice / Emba	almer Apprentice Renewal Fee per certificate	\$20.00
Funeral Establishment Original Insp	pection Fee	\$150.00
Funeral Establishment Re-Inspecti	on Fee	\$150.00
Funeral Establishment Annual Inspe	ection Fee	\$75.00
Late Penalty for Past Due Inspection Fee		\$150.00
Funeral Establishment License Transfer (Temporary Location)		\$25.00
Funeral Establishment Change of Ownership		\$250.00
Funeral Establishment – Reissued License Due to Name Change		\$25.00
Special Operating Permit		\$50.00
Late Renewal Fee or Lapsed Penalty		\$50.00
Reciprocity Licenses per license		\$250.00
Reciprocity Special Work Permit per permit		\$25.00
Crematory Registration Fee		\$200.00
Cremationist Application Fee		\$50.00
Cremationist Renewal Fee		\$50.00
Background Check	Current fee charged by Alabama Law Enf	forcement Agency
Continuing Education Provider Administrative Fee \$200.00		\$200.00

Replacement Wall Certificate per certificate	\$15.00
Replacement Wallet or Wall License per license	\$15.00
Laws, Rules, Regulation Exam	\$50.00

(2) Commencing on October 1, 2018 all funeral director, embalmer, cremationist, and establishment licenses shall be renewed biennially. The fees to be charged by the Board after October 1, 2018 are as follows:

FEE TY	YPE/PURPOSE	AMOUNT
Funeral Director Application Fee		\$ 200.00 <u>230.00</u>
Embalmer Application Fee		\$ 200.00 <u>230.00</u>
Apprentice Funeral Director / Apprent	tice Embalmer Application Fee per certificate	\$ 20.00 <u>50.00</u>
Funeral Establishment Application Fe	e	\$400.00 <u>500.00</u>
Funeral Director / Embalmer / Practical	al Embalmer Renewal Fee per license	\$ 200.00 <u>230.00</u>
Funeral Establishment Renewal Fee po	er establishment	\$500.00
Funeral Director Apprentice / Embalm	ner Apprentice Renewal Fee per certificate	\$ 20.00 50.00
Funeral Establishment Original Inspec	etion Fee	\$150.00
Funeral Establishment Re-Inspection	Fee	\$150.00
Funeral Establishment Annual Inspect	ion Fee	\$75.00 <u>\$100.00</u>
Late Penalty for Past Due Inspection F	Ree Ree	\$150.00
Funeral Establishment – License Tran	sfer (Temporary Location)	\$25.00
Funeral Establishment Change of Ownership Application Fee		\$250.00
Funeral Establishment – Reissued License Due to Name Change		\$25.00
Special Operating Permit Application	<u>Fee</u>	\$50.00
Late Renewal Fee or Lapsed Penalty p	per license	\$100.00
Reciprocity Licenses Application Fee	per license	\$ 250.00 <u>300.00</u>
Reciprocity Special Work Permit Application Fee per permit		\$ 25.00 <u>50.00</u>
Crematory Registration Application Fee		\$200.00
Cremationist Application Fee		\$ 100.00 <u>150.00</u>
Cremationist Renewal Fee		\$ 100.00 150.00
Background Check Application Fee	Current fee charged by Alabama La	w Enforcement
	Agency	
Continuing Education Provider Administrative Fee		\$200.00
Replacement Wall Certificate per certificate		\$15.00
Replacement Wallet or Wall License per license		\$15.00
Laws, Rules, Regulation Exam per exam		\$50.00
Alabama Funeral Director Exam per e	<u>xam</u>	<u>\$100.00</u>
Alabama Embalmer Exam per exam		<u>\$100.00</u>

(2) All application fees paid to the board are non-refundable.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-13-51, 34-13-53, 34-13-55, 34-13-70, <u>34-13-72</u>, <u>34-13-74</u>, 34-13-90, <u>34-13-92</u>, <u>34-13-111</u>, 34-13-113, 34-13-114, <u>34-13-120</u>, 34-13-120.1, 34-13-130, 34-13-131.

History: Originally filed as Rule No. 395-X-2-.04 entitled "Cost of Renewal License." **Amended:** Filed April 5, 1983; August 9, 1985. **Amended:** Filed May 3, 2002; effective June 7, 2002. **Amended:** Filed May 14, 2003; effective June 18, 2003. **Amended:** Filed January 30, 2012; effective March 5, 2012. **Amended:** Filed June 6, 2014; effective July 11, 2014. **Amended:** Filed July14, 2017; effective October 27, 2017. **Amended:** Filed May 18, 2022

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-3-.01 Course of Apprentice Funeral Director

395-X-3-.02 Course of Apprentice Embalmer

<u>INTENDED ACTION:</u> The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-3-.01 titled "<u>Course of Apprentice Funeral Director</u>" and amend Rule No. 395-X-3-.02 titled "<u>Course of Apprentice Embalmer</u>".

SUBSTANCE OF PROPOSED ACTION: The Board proposes to amend Rule No. 395-X-3-.01 titled "Course of Apprentice Funeral Director" and Rule No. 395-X-3-.02 titled "Course of Apprentice Embalmer" to set the course of apprenticeships to 60 consecutive months with a start and end date including reactivations. An individual may only be granted one course of apprenticeship. The rules set the requirements of application, renewal fee, case reports, annual reports, and skill evaluation for renewal. Require the apprentice to assist in a total of 50 cases during the course of the respective apprenticeship and complete the education requirements of mortuary school for apprentice embalmers and certificate or degree from mortuary school or a bachelor's degree for apprentice funeral directors.

<u>TIME, PLACE, MANNER OF PRESENTING VIEWS:</u> Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, July 6, 2022

Place: 4276 Lomac Street, Montgomery, AL 36106

Email: <u>Charles.perine@fsb.alabama.gov</u>

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, July 6, 2022.

CONTACT PERSON AT AGENCY:

Charles M. Perine Executive Director 4276 Lomac Street Montgomery, AL 36106

Charles M. Perine Executive Director

Alabama Board of Funeral Service

Harles M. Perine

CHAPTER 395-X-3 APPRENTICE

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395-X-301	Course of Apprentice Funeral Director
395-X-302	Course of Apprentice Embalmer
395-X-303	Apprentice Supervision

395-X-3-.01 Course of Apprentice Funeral Director.

- (1) Each apprentice funeral director shall:
 - (a) Assist in conducting a minimum of twenty (20) funerals each year of his/her apprenticeship; it being the specific intent of the Board that no person shall be approved for funeral director licensure unless he/she has assisted in conducting a minimum of forty (40) funerals prior to application for licensure. Each apprentice funeral director shall maintain a case report of said services containing the name of the deceased, date of service, and signature of the supervising funeral director. The case report and annual report shall be submitted to the board with each renewal. The provisions of this regulation shall come in effect for each apprentice originally applying on or after October 1, 1985, and shall be in addition to requirements provided in Title 34, Chapter 13, Code of Ala. 1975.
 - (b) In addition to the case report and annual report the apprentice shall submit with each renewal a Skills Evaluation form completed by their supervisor and proof of enrollment from an accredited mortuary college or school or proof of having obtained a bachelor degree from an accredited college or university.
- (1) <u>Time requirements:</u>
 - a. The course of a funeral director apprenticeship shall be 60 consecutive months starting on the original issue date of the certification and continuing until the defined end date.
 - b. No apprenticeship shall continue beyond the 60-month course, including where an apprentice certification has expired and been reactivated pursuant to Alabama Code §§ 34-13-131 and Alabama Administrative Code r. 395-X-2-.02. An apprenticeship certification may not be reactivated more than two times.
- (2) Only one course of apprenticeship may be granted to any individual. Therefore, an individual who holds or receives an active apprentice certification on or after May 1, 2022, may not seek a new apprentice certification.
- (3) During the course of a funeral director apprenticeship the apprentice shall:
 - a. Renew the apprentice certification annually by submitting each of the following:
 - i. Completed renewal application
 - ii. Renewal fee
 - iii. Case reports
 - iv. Annual reports

- v. Skill evaluation
- b. Assist in the practice of funeral directing for a minimum of ten (10) funeral cases each year.
- c. Complete a course of study culminating in:
 - i. <u>a certificate of funeral service arts or graduation from a funeral service program at an accredited mortuary school; or</u>
 - ii. a bachelor's degree from an accredited college or university.
- (4) <u>Before an apprentice may be certified by the board to take the licensing exams or obtain a license the apprentice shall:</u>
 - a. Complete a minimum of 24 consecutive months of a funeral director apprenticeship.
 - b. Assist in the practice of funeral directing by conducting or arranging a minimum of fifty (50) funeral cases.
 - c. <u>Submit the required case reports, annual reports, skill evaluation, and proof of obtaining the education requirements.</u>
 - d. Meet all other requirements set forth in Alabama Code §§ 34-13-70 through 73.
- (5) The board may offer a waiver of time requirements to an apprentice who experiences an interruption in the course of apprenticeship caused by active-duty military service required by the United States Armed Forces or any other circumstances that the board deems excusable and beyond the control of the applicant.
- (6) The provisions of this rule shall apply to all individuals who hold or receive an active apprentice certification on or after May 1, 2022.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-13-130, 34-13-131, 34-13-132. **History: Amended:** Filed August 9, 1985. (Rule previously entitled "Apprentice Funeral Directors and Embalmers.") **Amended:** Filed July 14, 2017; effective October 27, 2017.

Amended: File May 18, 2022

CHAPTER 395-X-3 APPRENTICE

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395-X-301	Course of Apprentice Funeral Director
395-X-302	Course of Apprentice Embalmer
395-X-303	Apprentice Supervision

395-X-3-.02 Apprentice Embalmer.

- (1) Each apprentice embalmer shall:
 - (a) Assist in embalming a minimum of twenty (20) human dead bodies each year of his/her apprenticeship, it being the specific intent of the Board that no person shall be approved for embalmer licensure unless he/she has assisted in embalming a minimum forty (40) human dead bodies prior to application for licensure. Each apprentice embalmer shall maintain a case report of said embalming, containing the name of the deceased, date of embalming, and signature of the supervising embalmer. The case report and annual report shall be submitted to the board with each renewal. The provision of this regulation shall come into effect for each apprentice originally applying on or after October 1, 1985, and shall be in addition to requirements provided in Title 34, Chapter 13, Code of Ala. 1975.
 - (b) In addition to the case report and annual report the apprentice shall submit with each renewal a Skills Evaluation form completed by their supervisor and proof of enrollment from an accredited mortuary college or school.

(1) <u>Time requirements:</u>

- a. The course of an embalmer apprenticeship shall be 60 consecutive months starting on the original issue date of the certification and continuing until the defined end date.
- b. No apprenticeship shall continue beyond the 60-month course, including where an apprentice certification has expired and been reactivated pursuant to Alabama Code §§ 34-13-131 and Alabama Administrative Code r. 395-X-2-.02. An apprenticeship certification may not be reactivated more than two times.
- (2) Only one course of apprenticeship may be granted to any individual. Therefore, an individual who holds or receives an active apprentice certification on or after May 1, 2022, may not seek a new apprentice certification.
- (3) During the course of an embalmer apprenticeship the apprentice shall:
 - a. Renew the apprentice certification annually by submitting each of the following:
 - i. Completed renewal application
 - ii. Renewal fee
 - iii. Case reports

- iv. Annual reports
- v. Skill evaluation
- b. Assist in the practice of embalming for a minimum of ten (10) embalming cases each year.
- a. <u>Graduate from an accredited embalming school or college in accordance with</u> §34-13-50, Code of Alabama, 1975.
- (4) Before an apprentice may be certified by the board to take the licensing exams or obtain a license the apprentice shall:
 - a. <u>Complete a minimum of 24 consecutive months of a embalmer</u> apprenticeship.
 - b. Assist in the practice of embalming for a minimum total of fifty (50) embalming cases.
 - c. <u>Submit the required case reports, annual reports, skill evaluation, and proof of obtaining the education requirements.</u>
 - d. <u>Meet all other requirements set forth in Alabama Code §§ 34-13-90 through -</u> 94.
- (5) The board may offer a waiver of time requirements to an apprentice who experiences an interruption in the course of apprenticeship caused by active-duty military service required by the United States Armed Forces or any other circumstances that the board deems excusable and beyond the control of the applicant.
- (6) The provisions of this rule shall apply to all individuals who hold or receive an active apprentice certification on or after May 1, 2022.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, <u>34-13-130</u>, <u>34-13-131</u>, <u>34-13-132</u>. **History: Amended:** Filed August 9, 1985. (Rule previously entitled "Apprentice Annual Reports.") **Amended:** Filed July 14, 2017; effective October 27, 2017. **Amended:** Filed: May 18, 2022

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-4-.02 Annual Inspections of Funeral Establishments

<u>INTENDED ACTION:</u> The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-4-.02 titled "Annual Inspections of Funeral Establishments".

<u>SUBSTANCE OF PROPOSED ACTION:</u> The Board proposes to amend Rule No. 395-X-4-.02 titled "Annual Inspections of Funeral Establishments" to increase the annual inspection fee of a funeral establishment from \$75 to \$100.

<u>TIME, PLACE, MANNER OF PRESENTING VIEWS:</u> Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, July 6, 2022

Place: 4276 Lomac Street, Montgomery, AL 36106

Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, July 6, 2022.

CONTACT PERSON AT AGENCY:

Charles M. Perine Executive Director 4276 Lomac Street Montgomery, AL 36106

Charles M. Perine
Executive Director

CHAPTER 395-X-4 INVESTIGATIONS AND INSPECTIONS

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395-X-403	Complaints and Investigations
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395-X-405	Business Cards
395-X-406	Records

395-X-4-.02 Annual Inspections Of Funeral Establishments.

The Board shall inspect each funeral establishment at least once annually to ensure sufficient operation of the establishments. The Board shall charge a fee of seventy five (75) one hundred dollars (\$100) for each inspection conducted as provided in Code of Ala. 1975, §34-13-111(b). Said fees shall be submitted to the Board within forty-five (45) days of the inspection. Inspection fees that are not received by the Board within forty-five (45) days will be charges a late fee penalty of one hundred fifty (150) dollars. Should an establishment be found to be noncompliant of state funeral service laws or regulations, the inspector may give the establishment a specified period of time, to be set by the inspector, to correct the violations. Following the duration of such period, said establishment will be re-inspected. Should the same violations remain, the establishment operator will be notified to appear before the Board to answer charges of violating state funeral service laws or regulations. It is hereby declared to be the intent of the Board that such period of compliance and re-inspection is left completely to the discretion of the investigator and should violations or inadequacies found on the initial inspection pose serious consequences, the investigator may request the establishment operator to appear before the Board for such violations without providing period of compliance on re-inspection.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-12-111.

History: Amended: Filed August 8, 1986. Amended: Filed January 30, 2012; effective March 5,

2012. **Amended:** Filed May 18, 2022

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-6-.14 Cremation Records

<u>INTENDED ACTION:</u> The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-6-.14 titled "Cremation Records".

<u>SUBSTANCE OF PROPOSED ACTION:</u> The Board proposes to amend Rule No. 395-X-6-.14 titled "Cremation Records" to specify the Cremation Log and Cremation Authorization may contain additional information in addition to the required information and to specify that a funeral establishment must use the State Identification Form created by the board and published on the board's website and can not be alter or amended by a funeral establishment.

<u>TIME, PLACE, MANNER OF PRESENTING VIEWS:</u> Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, July 6, 2022

Place: 4276 Lomac Street, Montgomery, AL 36106

Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, July 6, 2022.

CONTACT PERSON AT AGENCY:

Charles M. Perine Executive Director 4276 Lomac Street Montgomery, AL 36106

Charles M. Perine
Executive Director

CHAPTER 395-X-6 FUNERAL ESTABLISHMENT REQUIREMENTS

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395-X-612	Combustible Cremation Container
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395-X-614	Cremation Records.
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	=

395-X-6-.14 Cremation Records.

- (1) Cremation Log.
 - (a) The cremation log shall be in simple log form containing:
 - 1. The name of the deceased
 - 2. Internal identification number
 - 3. Date of cremations
 - 4. Start time and end time of cremation
 - 5.Cremation preformed for
 - 6.Disposition of Cremains
 - 7. The signature of the cremationist.
- (2) Cremation Authorization.
 - (a) The cremation authorization form must contain:
 - 1. The name of the Crematory performing the cremation.
 - 2. The name of the funeral home the cremation is being performed for.
 - 3. Identifying information of the deceased including: Name, date of birth, date of death, age, place of death, time of death,
 - 4. Mechanical or artificial implants
 - 5. Authorizing agent(s) signatures and relationships to the deceased.
 - 6. Disposition of cremated remains.
 - 7. Party to receive cremated remains
 - 8. Signature and title of funeral home representative
 - 9. Signature for receipt of cremated remains.
 - (b) Funeral establishments arranging cremations must use the cremation authorization form of the crematory where the cremation will be performed.

(3) <u>Said records Cremation Log and Cremation Authorization</u> may contain any additional information, at the discretion of the establishment, as long as it meets the aforementioned provisions.

(4) State Identification Form

- (a) A funeral establishment shall complete a State Identification Form prior to the cremation of any human remains and said form shall accompany those human remains in all phases of transportation, cremation, and return of cremated remains.
- (b) A funeral establishment must use the State Identification Form created by the Board and available on the Board's website or by contacting the Board's office.

 An establishment may not alter or amend the form created by the Board or create their own form.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-13-120, 34-13-121.

History: New Rule: Filed July 14, 2017; effective October 27, 2017. Amended: File