



# QUARTERLY NEWSLETTER

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## *Board Meeting*

The Board will hold its first regular meeting of fiscal year 2017 on **October 2, 2017 at 9:00 a.m.** in Room 304 of the Alabama State House. Matters or subjects not on the agenda are not guaranteed for discussion at the meeting. **Licenseses who attend the quarterly board meeting will receive hour for hour CE Credits for attending.**

*All Board meetings will be held at 11 South Union Street Room 304, Montgomery, AL 36104.*

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## *Board Appointments*

On **October 2, 2017, at 9:00 a.m.**, in Room 304 of the Alabama State House, 11 South Union Street, Montgomery, AL 36104, the Board will take its annual nominations for the Board districts that term expires December 31, 2017. Those districts are: Three, Four, Six and Seven. To check your exact district, you may go to [www.house.gov](http://www.house.gov) and type in your zip code under "Find Your Representative". To be eligible to serve on the Board:

- 1) A person must either be a licensed funeral director and embalmer, who has been licensed as an embalmer for at least ten consecutive years, or a funeral director.
- 2) Who is currently a funeral home operator who has been actively practicing funeral directing for at least ten consecutive years.

Those in attendance must select three nominees from each district and those nominees will be submitted to the governor for appointment. You do not have to be present to be nominated, but you must be present to place a nomination. Also, only one funeral director from each establishment may vote should more than three nominees be nominated. Should a company own multiple establishments, they may have one funeral director for each establishment to cast a vote. If anyone has questions about the nomination process or districts, please contact the Board office.

## *Examination*

The Alabama Board of Funeral Service has certified the following individuals with The Conference as having met the qualification to take the Alabama State Law Exam and the Alabama Funeral Director and/or Embalmer Exam:

Caleb Ross Ponders	Shanie Tenille Davis	Thomas Brent Snell	Corey S. Gee
Larry Wayne White	Paul E. Willingham	LaCandace M. Paster	Joshua James Moore
Theresa A. Young	Anthony C. Billings	Larry W. Livingston	

Steps to taking the Alabama State Art, Science, or Law exam:

1. **Submit application to the Board office for permanent license.**
2. **Eligibility will be verified and sent to The Conference by the Board staff.**
3. **Applicants must then go to The Conference website at [www.theconferenceonline.org](http://www.theconferenceonline.org) to submit their exam application and payment.**
4. **Please keep in mind, processing takes anywhere from 2-3 business days. The Conference must have your eligibility, application, and payment to schedule. You will be notified through email once you have been processed and you are able to schedule.**

## *The Conference*

As stated in previous notices, the Alabama State Law, Funeral Director and Embalmer's exams will be given by The Conference through Pearson VUE testing centers at five locations statewide. The exam fees and applications are to be submitted by the applicant to The Conference. The state license fees, applications, and affidavits shall be submitted to the Board office.

The Conference: [www.theconferenceonline.org](http://www.theconferenceonline.org)

Phone: 479-442-7076

Pearson VUE:	Birmingham	Decatur	Dothan	Mobile	Montgomery
	205-982-2063	256-552-0667	334-671-7007	251-343-2601	334-409-9355

## *Renewal Time & Online System*

The Board is currently renewing licenses and certifications for fiscal year 2018. The Board no longer mail renewal notices to licensees, establishments, or apprentices. The deadline to renew without penalty is September 30, 2017. Failure to receive a notice does not excuse anyone from renewing by the deadline. If you fail to submit your paperwork for renewal by the September 30th deadline, an additional \$50 late penalty will be applied.

*ONLINE RENEWAL* is available for individual licensees and establishment by going to the Homepage of the Alabama Board of Funeral Service website ( [www.fsb.alabama.gov](http://www.fsb.alabama.gov) ) and click on the "ONLINE RENEWAL" button. A valid credit card will be needed to complete the online renewal. There will be a 4% administration fee added to each license that is renewed using the online system. It is extremely important that online users verify that the information (i.e. address, email address, etc.) listed on their profile is correct and current. By ensuring the information is correct and current, it ensures that the license(s) are mailed to the correct address and that all licensees are receiving the Board's correspondence.

↓↓↓↓\*\***IMPORTANT**\*\*↓↓↓↓

**Licensees, Apprentices, and Establishments that do not renew by the September 30<sup>th</sup> deadline NO longer have a six-month grace period to renew with the \$50.00 late penalty. The grace period has been reduced to thirty (30) days.**

**Anyone who does not renew their apprentice certification, funeral establishment, funeral director, embalmer or practical embalmer license by the September 30<sup>th</sup> deadline, may still renew with a \$50.00 late penalty until October 31, 2017. If you fail to submit your paperwork and fee, including late penalty, for renewal by the October 31, 2017 deadline, the license(s) or certification will be considered lapsed. At which time the establishment, funeral director, embalmer, or apprentice must CEASE and DESIST all**

operations and/or practice. Any paperwork and fees received after the October 31st deadline must go before the Board for reactivation approval and the licensee must meet the current requirements for licensure.

## *Renewal Timeline*

Below is a time line including the action that needs to be taken for renewals:

<b>Dates</b>	<b>License Status (If you have not renewed)</b>	<b>Renewal Fee (+ Penalty)</b>	<b>Action</b>
July 1, 2017 – October 1, 2017**	Active	\$100 per license (FD & EM) \$20 per apprentice certification \$250 per Establishment	Renew before September 30, 2017
October 2, 2017 – October 31, 2017**	Expired	\$100 + \$50 per license (FD&EM) \$20 + \$50 per apprentice certification \$250 + \$50 per Establishment	Renewal fee + Late Penalty before October 31, 2017
After November 1, 2017	Lapsed	\$100 + \$50 per license (FD&EM) \$20 + \$50 per apprentice certification \$250 + \$50 per Establishment	<ol style="list-style-type: none"> <li>1. Must Cease and Desist from all operation and practice until approval by the Board at the next regular scheduled board meeting.</li> <li>2. Must submit reactivation paper work along with renewal fee + Penalty.</li> <li>3. Must meet all requirements for the original issuance of a license.</li> </ol>

\*\*All renewals must be IN the board's office by October 1, 2017, and not just posted marked by October 1, 2017. Any renewal received, whether by mail, online renewal, or hand delivered, after October 1, 2017 must include the \$50.00 late penalty.

Below is the amended language for the Title 34 Chapter13, Code of Alabama 1975, effective August 1, 2017:

### *§34-13-55.*

*(a) When a licensee, for any reason, has allowed a license to expire, the board may reinstate the license if application for reinstatement is made within a period of 30 days from the date of expiration and is accompanied by payment of all penalties and fees, from the time of expiration to date of reinstatement. The penalties to be paid to the board shall not exceed one hundred dollars (\$100) to reinstate licenses which have expired.*

*(b) After the 30-day period has elapsed, a license may be reinstated only by complying with the provisions of this chapter relating to the issuance of an original license in addition to payment of all fees and penalties.*

Licensees **DO NOT** have to turn in Continuing Education hours this year with their renewal. Continuing Education hours are not due until September 30, 2018.

If you have any questions, please contact the Board's office at 334-242-4049.

## ***House Bill 212***

During this year's regular annual sessions of legislators, House Bill 212 passed the Senate and the House of Representatives and was signed by Governor Ivey on May 26, 2017. House Bill 212 amended and made significant changes to the Alabama Funeral Service Law. The following are the changes to the Alabama Funeral Law because of House Bill 212:

### **MAJOR CHANGES**

- 50% of this bill makes technical and non-substantive changes. (i.e. requirements to file reports to the secretary of state and the legislatures which are no longer required.)
- Increases the membership of the Board from seven (7) to nine (9) members by adding two consumer members to be appointed by the Lt. Governor and the Speaker of the House.
- Changes board member's terms from two year terms to four year terms.
- Sets the Standard and requirements to operate a crematory in the state
  - Requires individuals who cremate remains to be a Certified Crematory Operator and be licensed by the Board.
  - Makes it mandatory to have all the equipment needed to perform a cremation.
  - Requires all paper work and legal forms be completed and remains properly identified before the cremation takes places.
  - Requires crematories to have refrigeration.
  - Sets the due date for reports to be filed with the board.
- Requires human remains to be embalmed, with permission, or refrigerated 48 hours after death.
- Gives the board authority to act against unlicensed individuals who practice without a license.
- Gives the board authority over anyone practicing funeral directing or embalming as define in this chapter

### **Minor Changes**

- Definitions
- Gives grandchildren a place in the hierarchy of serving as the authorizing agent of a decedent over a non-relative.
- Requires appeals of Board decisions to be done in the Circuit Court of Montgomery County.
- Require background checks for potential licensees.
- Defines the Class of misdemeanor for violation of this chapter to be Class A
- Require license renewals to take place every two years instead of every year.
  - Sets all maximum fees at \$500 (going to a two-year renewal will require the maximum that can be charged at one time to increase.)
- Gives the board the authority to deny a license for violations of the funeral law and then have hearing if the potential licensee wants to appeal the board decision. \*\*\*
- Requires apprentices to be enrolled in school within one year of receiving an apprenticeship.
- Require continuing education providers to pay an administrative fee every two years. (not to exceed \$250.00)
- Limits the number of apprentices that a licensee can supervise to no more than 3 apprentices.
- Requires the managing funeral director to live within 75 miles of the funeral home.

- Requires names listed on an establishment business card to be that of an individual licensed by the Board. (an amendment has been adopted to allow the Board make a rule to allow any name to be on the business card if the job title of the individual is printed on the card also.)
- Requires Establishments that do not own a crematory but advertise cremation services to disclose to consumers that they do not own a crematory.

**You may view House Bill 212 in its entirety by going online to [fsb@alabama.gov](mailto:fsb@alabama.gov) and under “What’s New” on the home page click House Bill 212.**

## *Administrative Rule Changes*

Pursuant to §34-13-26, Code of Alabama, 1975, the Board sent a Notice of Intended Action and the Proposed Administrative Rule Changes to all licensees on July 24, 2017. The Notice of Intended Action was also published in the Administrative Monthly Volume XXXV, Issue No.10, AAM, Dated July 31, 2017. All licensees had until September 5, 2017 to respond with any written or emailed comments concerning the proposed rule changes. The Board held a public hearing on September 6, 2017 concerning the rule changes. After the public hearing, the Board voted to accept the following major amendments and new rules (there were some minor amendments done to make the rule agree with statute):

### 1. Fees:

Crematory Registration Fee** (Crematories Opened After 10/01/2017)	\$200.00	CE Provider Admin Fee	\$200.00
Cremationist Application Fee	\$50.00	Replacement Wall Certificate	\$15.00 per Certificate
Cremationist Renewal Fee	\$50.00	Replacement Wallet or Wall License	\$15.00 per License
Background Check	ALEA’s Rate	LRR Exam (State Law)	\$50.00

2. All cremationist licenses and crematory registrations must be on public display.
3. The LRR Exam (State Law) will be given by the Board in Montgomery at a cost of \$50.00.
4. All licensees, that are required to complete continuing education, must complete a course in ethics and blood-borne pathogens/universal precautions as part of the required 8 hours.
5. All licensees, that are required to complete continuing education, must report hours to the board. No more random audit.
6. The Board will allow up to 4 hours of continuing education, above the required 8 hours, be carried over to the next reporting period.
7. Cremationist must complete a minimum 7-hour crematory operator training course and be certified as a crematory operator. Applicants who completed a crematory operator training course more than 4 years ago, must complete a re-fresher course. Cremationist, after receiving their initial license, must complete the re-fresher course or approved crematory operator training every 4 years (the training can count towards continuing education).
8. A special work permit may be issued to an applicant seeking licensure as a cremationist, if the applicant has met all the requirements except the crematory operator’s course.

## *Administrative Rule Changes Continued*

9. Apprentice funeral directors and apprentice embalmers must submit, each year with their renewal, a case report, annual report, skill evaluation form, and proof of enrollment in mortuary school or proof of having obtained a bachelor degree.
10. Managing funeral director physical residence must be within 75 miles of the funeral establishment being qualified.
11. Business cards that contains the name of a funeral establishment and the name of an individual, must contain the individuals job title.
12. Records required by the Board must be kept onsite of the funeral establishment.
13. A written embalming authorization must be obtained from the authorizing agent during the arrangement conference.
14. All dead human remains are required to have a non-detachable ankle bracelet with the following information:
  - a. First and Last name of the decedent
  - b. Date of Death
  - c. Name of the Funeral Establishment.
15. Major Structural renovation of a crematory facility is defined as being addition of square footage, a redesign of the facility, or installation of an additional cremation chamber.
16. Holding Room within a Crematory Facility must:(Crematories Opened After 10/01/2017)
  - a. be a minimum of 100 square feet.
  - b. secured by a locking door(s) with signs indicating “Employees Only”.
  - c. have non-porous floors and walls.
  - d. container for soiled linen, clothing, and waste disposal.
  - e. have adequate lighting.
  - f. keep all contents clean of blood and at no time can the holding room be used as storage.
  - g. have all openings to public areas sealed to prevent odors from escaping.
17. Human remains shall never be stacked or placed upon other human remains.
18. Crematories must have a refrigeration unit that can hold a minimum of 3 human remains. The refrigeration unit must maintain a constant temperature between 35 degrees to 45 degrees Fahrenheit. (Crematories Opened After 10/01/2017)
19. All dead human remains that are to be cremated must be cremated in a combustible container that provides a complete covering of the remains and contains the following identifying information:
  - a. First and Last name of the decedent
  - b. Date of Death
  - c. Name of the Funeral Establishment.
20. The approved method of internal identification for human remains to be cremated is a metal tag containing the crematory name and the identification number.

## *Administrative Rule Changes Continued*

21. Metal tags must be present with the remains through-out all phases of the cremation process.
22. After the cremation process, if the cremated remains are placed in a temporary container the metal tag must be secured to the inner plastic bag containing the cremains. If the cremated remains are placed into a permanent receptacle, then the metal tag must be placed inside the receptacle.
23. If cremated remains have been divided into multiple receptacles, then all receptacles must be identified with the identifying information of the deceased.
24. Crematories must have the information required by law on their cremation log and cremation authorization.
25. Funeral establishments arranging cremations must use the cremation authorization form of the crematory where the cremation will be performed.
26. The Board also approved inspection citations for crematories.
27. Inspections citation of \$500 for establishments that do not meet the FTC requirements.



At the last meeting, the Board approved the following for licensure:

### **Funeral Director**

William T. Clark

Gerald P. Harrington

Laura K. Sullivan

Derrick W. Purvis

Lindsay Brooke Thompson

### **Funeral Director & Embalmer**

Alexis D. Roby

Andrew R. Byrd

Bill Anthony Reeves

Joshua James Moore

### **Establishments**

Kenmar Family Funeral Home

New Establishment

Mobile, AL

Kenmar Family Mortuary Service

Convert from an establishment to mortuary service.

Mobile, AL

Grace Memorial Chapel

New Establishment

Sylacauga, AL

Vance Brooks Funeral and Cremation Svc

Buy-out

Phenix City, AL

<i>Active Licenses as of September 1, 2017</i>						
<i>Establishments</i>	<i>Mortuary Service</i>	<i>Funeral Directors</i>	<i>Embalmers</i>	<i>Practical Embalmers</i>	<i>Apprentice Funeral Directors</i>	<i>Apprentice Embalmers</i>
470	1	1563	831	61	267	188

<i>Lapsed Licenses as of April 1, 2017</i>						
<i>Establishments</i>	<i>Mortuary Service</i>	<i>Funeral Directors</i>	<i>Embalmers</i>	<i>Practical Embalmers</i>	<i>Apprentice Funeral Directors</i>	<i>Apprentice Embalmers</i>
0	0	95	52	4	125	102

License status can be verified at [www.fsb.alabama.gov](http://www.fsb.alabama.gov) under the "Licensees" tab.

Alabama Board of Funeral Service  
Consent Agreements  
May 8, 2017 to July 13, 2017

<b>Case No.</b>	<b>Charge</b>	<b>Penalty</b>
ABFS17-0038	Failed to pay annual inspection fee and late penalties - § 34-13-111 and Administrative Code 395-X-4-.02	Fined \$1,225.00 Managing Funeral Director on probation for 2 years. Establishment on probation for 2 year.
ABFS17-0040	Failed to pay the annual inspection fee and late penalties for the Funeral Home, in violation of ALA. Code § 34-13-111 and Alabama Funeral Service Administrative Code 395-X-4-.02	Fined \$1,225.00 Managing Funeral Director on probation for 2 years. Establishment on probation for 2 year.

## *Inspection Citations*

The following inspection citations have been issued for violations of the funeral service law:

Inspection Type	Question	Fine Amount
Annual Inspection	Are price cards displayed on each casket?	\$100
Annual Inspection	Plumbing and Fixture Adequate?	\$100
Annual Inspection	Hot and Cold running water?	\$100
Annual Inspection	Aspirator, trocar, nasal tube aspirator, aspirating hoses?	\$200
Annual Inspection	Are there 8 full size adult caskets on the premises?	\$300
Annual Inspection	Method of IDENTIFICATION as required by Â§395-X-6-.07?	\$100
Annual Inspection	Method of IDENTIFICATION as required by Â§395-X-6-.07?	\$100
Annual Inspection	Are there 8 full size adult caskets on the premises?	\$1,200
Annual Inspection	Method of IDENTIFICATION as required by Â§395-X-6-.07?	\$100
Annual Inspection	Plumbing and Fixture Adequate?	\$100
Annual Inspection	Aspirator, trocar, nasal tube aspirator, aspirating hoses?	\$200
Annual Inspection	Are there 8 full size adult caskets on the premises?	\$1,500
Annual Inspection	Are price cards displayed on each casket?	\$500
Annual Inspection	Operating Embalming Equipment?	\$200
Annual Inspection	Method of IDENTIFICATION as required by Â§395-X-6-.07?	\$100
Annual Inspection	Are Licenses Publicly Displayed?	\$100
Annual Inspection	Plumbing and Fixture Adequate?	\$100
Annual Inspection	Non Porous Floor?	\$100
Annual Inspection	Are the premises free of litter and debris?	\$200
Annual Inspection	Are public travel areas free of rotten or deteriorated floor boards or flooring?	\$100
Annual Inspection	Are openings between the preparation room and public areas sealed to prevent fumes from escaping?	\$100
Annual Inspection	Aspirator, trocar, nasal tube aspirator, aspirating hoses?	\$200
Annual Inspection	Are there 8 full size adult caskets on the premises?	\$1,500
Annual Inspection	Are price cards displayed on each casket?	\$800

## ***CONTINUING EDUCATION***

*The Alabama Board of Funeral Services will offer continuing education credit to licensees that attend quarterly board meetings.*

### Approved Continuing Education Providers 2016-2018

**Academy of Graduate Embalmers**  
770.445.3180  
academyga@aol.com

**ABFS**  
334.242.4049  
www.fsb.alabama.gov

**Alabama Department of Public Health  
Center for Emergency Preparedness**  
334.206.7935  
tim.hatch@adph.state.al.us

**AFDA**  
334.956.8000  
www.alabamafda.org

**AFDA&MA**  
www.alabamafdma.org

**Alabama National Cemetery**  
205.665.9039  
quincy.whitehead@va.gov

**APEX (continuing education solutions)**  
800.769.8996  
apexces.com

**Aurora Matthews Funeral Solutions**  
800.457.1111  
auroracasket.com

**Batesville Casket Company**  
812.934.7500  
batesville.com

**CANA-Cremation Association of North America**  
312.245.1077  
cremationassociation.org

**Community Grief Support**  
205.870.8667  
ssweatcgss@bellsouth.net

**Cost Segregation Services, Inc.**  
256.683.3397  
greg@costsegregationservices.com

**Dignity University**  
713.525.7348  
dignity.university@Sci-us.com

**Elite Professional Education, LLC**  
888.857.6920  
www.elitecme.com

**Federated Funeral Directors Association**  
217.391.5701  
smayfield@ffda.com

**Federated Insurance**  
507.455.5340  
arwillert@fedins.com

**Funeral CE (a service of Web CE)**  
877.332.8480  
www.Funeralce.com

**Funeral Compliance, LLC**  
865.405.7085  
brad@365osha.com

**FuneralContinuingEducation.com**  
718.608.6000  
www.funeralcontinuingeducation.com

**Funeral Direct Ed**  
272.505.8746  
funeraldirected.com

**Georgia Funeral Directors Association**  
770.592.8002  
sboling@gfda.org

**Insight Institute**  
405.810.9501  
glenda@insightbooks.com

**International Order of the Golden Rule**  
800.63.8030  
www.ogr.org/webinars

**Jefferson State Community College**  
205.856.7847  
vriley@jeffstateonline.com

**Kate-Boylston Publication**  
732.730.2586  
tparmalee@ucg.com

**Matthews International**  
800.327.2831  
matthewscremation.com

**Memoriams, by Ancestry**  
303.268.1537  
jvosburg@memoriams.com

**Mississippi Funeral Directors Association**  
601.978.1920  
kathleen@tatmangroup.com

**Mobile Memorial Gardens Funeral Home**  
251.661.7700  
service@mobilememorialfunerals.com

**NFDA&MA**  
770.969.0064  
ndfma.com

**NFDA**  
800.228.6332  
nfda.org

**National Funeral Professionals Association**  
251.441.7688  
tristatemorturay@gmail.com

**Practicum Strategies**  
800.731.4714  
pshomestudy.com

**Professional Partners, LLC**  
309-828-2415  
professionalpartnersonline.com

**R. Bruce Wilson**  
256.717.5166  
bwilson9@tds.net

**Royal Funeral Home, Inc.**  
256.534.8481  
info@royalfh.com

**Scott's Chapel Hill Mortuary**  
334.377.1511  
chapelhill@centurytel.net

**Selected Independent Funeral Homes**  
847.236.9401  
stefanief@selectedfuneralhomes.org

**Smalls Mortuary Inc. and Cremation Services**  
251.990.3929  
smallsmortuary.com

**Stericycle, Inc.**  
716.481.7572  
RLBestNY@gmail.com

**Tennessee Funeral Directors Association**  
615.321.8792  
office@tnfda.org

**Thanos Institute**  
800.742.8257  
www.thanosinstitute.com

**The Dodge Company, Inc.**  
800.443.6343  
seminars@dodgeco.com

**The North American Division of The British Institute of Embalmers**  
207.841.6330  
sallybelanger@comcast.net

**Van Hoose & Steele Funeral Home**  
205.759.5736  
bad.madison@yahoo.com

\*\*\*CONTACT THE PROVIDER FOR DETAILS ON APPROVED COURSES\*\*\*

No endorsement is intended or made of any link, product, service or information either by its inclusion or exclusion from the Alabama Board of Funeral Service website.

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