

QUARTERLY NEWSLETTER

WHAT'S INSIDE

- BOARD
 APPOINTMENTS
- WEBSITE/CONTACT US
- APPLICATION/FEE CHANGES
- BOARD MEETING
- -CONTINUING EDUCATION
- HAPPY BIRTHDAY
- EXAMINATIONS
- NEW LICENSEES
- LICENSE COUNT
- CONSENT AGREEMENTS
- INSPECTION FINDINGS
- APPRENTICE NEWS
- STATE ID FORM
- APPRENTICE NEWS
- LIABILITY INSURANCE

BOARD APPOINTMENTS

Pursuant to §34-13-20, Code of Alabama, 1975, funeral directors and embalmers of Alabama gathered in Montgomery on October 4, 2022, and nominated individuals for districts whose terms would expire on December 31, 2022. Of those nominations, the following individuals were appointed by the appointing authority to serve on the Board for the next four years:

District 1 - Kenneth Bishop, Jr. - Daphne

District 2 - Terry Sorrell - Enterprise

District 5 - Karen Jones-Smith - Meridianville

Consumer Member - Sandra Hill - Prattville

Consumer Member – Bobby Burt – New Market

WEBSITE/CONTACT US

Questions? Visit the Board's website. The web address has not changed www.fsb.alabama.gov. Don't see what you are looking for? "Contact us" is the newest way to get the answer. "Contact Us" is avaliable to anyone accessing the Board's website, including consumers.

APPLICATION AND FEE CHANGES

Need an application? Check out the website. **Applications have changed**, so make sure you are completing the most current application. Old applications will not be accepted. Fees have changed so please take note of the fee changes below, including 2023 inspection fees.

395-X-2-.03 Fees. (1) The fees to be charged by the Board (2) All application fees paid to the board are non-refundable.

FEE TYPE/AMOUNT

Funeral Director Application Fee	\$230.00
Embalmer Application Fee	\$230.00
Reciprocity Special Work Permit Application Fee	\$50.00
Cremationist Application Fee	\$150.00
Apprentice Funeral Director Application Fee	\$50.00
Apprentice Embalmer Application Fee	\$50.00
Funeral Establishment Application Fee	\$500.00
Establishment Annual Inspection Fee	\$100.00
Late Penalty for Past Due Inspection Fee	\$150.00
Reciprocity License Application Fee per license	\$300.00

BOARD MEETING

The Board will hold its third regular meeting of fiscal year 2023 on April 4, 2023 at 10:00 a.m. 4276 Lomac Street, Montgomery, AL 36104. Matters or subjects not on the agenda are not guaranteed for discussion at the meeting.

CONTINUING EDUCATION

LICENSEES IT'S NOT TO EARLY TO START... get your CEs completed early so there is no rush. The 2022-2024 reporting period began October 2, 2022 and will end October 1, 2024. Keep certificates for you records, do not send them to the Board's office or email. Check your online profile to verify your completions have been reported. The provider must electronically report completions.

HAPPY BIRTHDAY

If you will be celebrating your 65th birthday before October 1, 2024 and have 10 years of service in the funeral industry, congratulations, you are exempt from the continuing education requirements! Many wishes for a happy year if you have celebrated a birthday since the last Quarterly Newsletter.

EXAMINATIONS

The Alabama Board of Funeral Service certified the following individuals as having met the qualifications to take the Board examination for licensure of their choice:

Sabrina Young	Stacy Ball	Edmund Ford
Jessica Lascola	Regan Moreland	Keyonte' Franklin
Rogery Perine	Monte Maddox	Monica Summerville
Sharon Husbands	Nikki Combs	Marquis Jackson
William Wilson	Kinley Kelley	Thomas Kelsch
Cecil Stallworth	November Wren	Angela Harris
Camille White	Dorothy England	Joshua Williams
Sharon McCray	Jae'Lon Leonard	Racheal Davenport
Adrienne Ellis	Tracie Bickelhaupt	Samuel Lewis
Carol Monteleone	Will Ramey	Timothy Kilpatrick
Roger Evans	Kathy Rodgers	Torcealin Kelley

THE CONFERENCE

The National and State Funeral Director and Embalmer's exams are given by The Conference through Pearson VUE testing centers at five locations statewide. The exam application and exam fee are submitted to The Conference by the applicant. The licensing application, application fee, and affidavits shall be submitted to the Board office.

The Conference: <u>www.theconferenceonline.org</u> Phone: 479-442-7076

Applicants for the Alabama State Art or Science exam shall:

- 1. Submit application for permanent license to the Board's office.
- 2. Eligibility will be verified by the Board's staff and sent to The Conference.
- 3. Applicants must register with The Conference at 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 an exam. You will be notified by email when

THE ALABAMA FUNERAL DIRECTOR AND ALABAMA EMBALMER EXAM

The Board now administers the Alabama Funeral Director and Alabama Embalmer Exams. These exams offer an added option to become licensed in the State of Alabama. A qualified applicant may still take the NBE (National Board Exam) or the SBE (State Board Exam). The intended exam's purpose is for an applicant to become licensed in the State of Alabama for the practice area referenced in the title of the exam, in accordance with Alabama Code §34-13-73(a) and (b) for funeral director licensure applicants and §34-13-94(a) for embalmer licensure applicants, and Alabama Administrative Code Chapter 395-X-2.

- a. <u>No Guarantee of Transferability</u>. Other states or licensing entities may or may not accept the results of an exam administered by the Alabama Board of Funeral Service for licensure or any other purpose.
- b. The International Conference of Funeral Service Examining Board ("The Conference") offers an examination that may provide a better option if it is Applicant's desire or intentions are to practice in another state. This exam is not intended to replace the exams administered by the Conference but offer another option for licensing. Applicants wishing to take the Alabama Funeral Director and/or the Alabama Embalmer Exam must acknowledge that this exam may or may not be accepted by another state for reciprocity, endorsement, or other purpose. All forms for the exams are available on the Board's website under "forms".

Applicants for the Alabama Funeral Director and/ or Alabama Embalmer exam shall:

- 1. Submit application for permanent license to the Board's office.
- 2. Eligibility will be verified by the Board's staff and an email will be sent to the applicant confirming or denying eligibility.
- 3. After eligibility is confirmed, only then will the applicant be able to register.
- 4. Applicants must submit their exam registration and payment prior to the registration deadline.
- 5. The applicant will receive a scheduling authorization via email which will provide instructions to schedule the desired exam.
- 6. The scheduling authorization will indicate the first available test date the applicant may schedule.
- 7. The applicant must <u>RESPOND</u> to the scheduling authorization <u>VIA EMAIL</u> indicating the date the applicant wishes to schedule their exam.
- 8. The applicant will receive an exam confirmation email approximately one week prior to the scheduled exam.
- 9. It is the responsibility of the applicant to review and adhere to the exam handbook and rules https://www.fsb.alabama.gov/pdfs/2022/ALABAMAEXAMGUIDERev.pdf

STATE LAW EXAM

Applicants for the Law, Rules and Regulations exam shall:

- 1. Submit application for permanent license to the Board's office.
- 2. Eligibility will be verified by the Board's staff and an email will be sent to the applicant confirming or denying eligibility.
- 3. After eligibility is confirmed, only then will the applicant be able to register.
- 4. Applicants must submit their exam registration and payment prior to the registration deadline.
- 5. The applicant will receive a scheduling authorization via email which will provide instructions to schedule the LRR exam. The scheduling authorization will indicate the first available test date the applicant may schedule.
- 6. The applicant must <u>RESPOND</u> to the scheduling authorization <u>VIA EMAIL</u> indicating the date the

- applicant wishes to schedule their exam.
- 7. The applicant will receive an exam confirmation email approximately one week prior to the scheduled exam.
- 8. It is the responsibility of the applicant to review and adhere to the exam handbook and rules https://www.fsb.alabama.gov/pdfs/2022/ALABAMAEXAMGUIDERev.pdf

NOTE:

- All correspondence or questions regarding exams shall be sent to info@fsb.alabama.gov
- All correspondence regarding exams will be received from info@fsb.alabama.gov
- No late registrations will be accepted after the deadline to qualify.
- All rules and procedures in the exam handbook will be followed without no exceptions.
- Deadlines will be enforced

Alabama Funeral Director exam 8:30 - 11:00 a.m.

Alabama LRR exam 12:00 - 1:00 p.m.

Alabama Embalmer exam 2:00 – 4:30 p.m.

Applicants shall be present in the exam location no later than 30 minutes prior to the exam.

EXAM DEADLINES AND DATES

Please check the Board's website for 2023 exam deadlines and dates

Deadline to Qualify	Exam Date
April 3, 2023	April 17, 2023
May 1, 2023	May 16, 2023
June 5, 2023	June 20, 2023
July 10, 2023	July 24, 2023
August 7, 2023	August 21, 2023
September 5, 2023	September 18, 2023
October 2, 2023	October 16, 2023
November 6, 2023	November 20, 2023
December 4, 2023	December 18, 2023

The following licenses were approved during the January 9th Board meeting

Funeral Director

Raechelle McCoy	Trent Lewis	Silas Baldwin
Audrey Montgomery	Cynthia Gunn	Andrew Smith

Funeral Director and Embalmer

Kelly Robertson	Jeremy Rembert	Tommy Fuller
Joseph Brewer	Nicholas Odom	Andrew Smith
Regan Moreland	Gary Hicks	Jonathan Norris

<u>Embalmer</u>

Bonita Beck Paul Kemp Duana Shears

Cremationist

Dexter Gamble Ronnie Macks Jeremy Rembert
Paul Kemp

Reactivation

Apprentice Funeral Director: 2 Apprentice Funeral Director and Apprentice Embalmer: 1

Funeral Director: 4 Funeral Director and Embalmer: 7
Funeral Director, Embalmer and Cremationist: 1

Establishments (as of January 9, 2023)

Cornerstone Funeral Services (FH only, Crematory pending)(Birmingham)	New
Christian Memorial Funeral Home (Phenix City)(tabled 10-4-2022)	New
Gates of Heaven dba Metropolitan Funeral Directors (Mobile)	New

ACTIVE LICENSE COUNT (as of January 1, 2023)

Establishments	480	Special Work Permit-Embalmer	1
Mortuary Services	2	Special Work Permit-Cremationist	0
Funeral Directors	1463	Apprentice Funeral Directors	295
Embalmers	818	Apprentice Embalmers	174
Practical Embalmers	40	CE Providers	35
Cremationists	290	Application received	104
Special Work Permit-Director	1	Licenses Issued	107
Background Checks October 1, 2022-	January 1, 202	3	59

395-X-6-.15 Inspection Penalties (a). Any violation under this section is a violation of minimum standards and a threat to the health, safety, and welfare of the public. A funeral establishment or mortuary service licensed by the board shall pay a fine to the board for each violation of this section. The requirements for inspections and the citation fines for violations under this section are as follows: Inspection Findings (7/1/2022-10/1/2022)

Minimum Standards	Fine for Violating
Does the establishment have a funeral coach or hearse for transporting human remains?	\$300
Does the establishment pricing meet the rules established by the Federal Trade Commission?	\$500
Non-Porous Floor and Walls? \$200	\$200
Aspirator, trocar, nasal tube aspirator, aspirating hoses?	\$200
Are outside openings screened, covered, or sealed to prevent the entrance of insects or rodents?	\$100
Are openings between the preparation room and public areas sealed to prevent fumes from escaping?	\$100
All licenses Current?	\$200
Is the funeral coach or hearse properly licenses?	\$300
Is the Cremation log complete and current?	\$200
Are there 8 full size different adult caskets on the premises?	\$300 per casket below minimum
Are price cards displayed on each casket as merchandised?	\$100 per casket without card or brochure
Method of IDENTIFICATION as required by §395-X-607?	\$100 per body no identified

CONSENT AGREEMENTS (October 1, 2022 – January 1, 2023)

ABFS21-0004	 Knowingly received payment for preneed contracts without having a valid certificate of authority, in violation of Alabama Code § 34-13-56(c)(2)(ff). Violated a statute "affecting the sale of funeral services" — namely, Alabama Code § 27-17A-15(e), which requires that any person examined by the Alabama Department of Insurance in connection with the writing of preneed contracts "shall pay" the expenses incurred, and which was enacted as a provision of the Preneed Funeral and Cemetery Act—in violation of Alabama Code § 34-13-56(c)(2)(cc). On six occasions committed fraud or misrepresentation in obtaining a license, by falsely attesting on establishment renewal applications submitted between 2013 and 2020 that FH did not sell pre-needs, in violation of Alabama Code § 34-13-56(c)(2)(n). Violated a statute "affecting the sale of funeral services" — namely, Alabama Code § 27-17A-22(a)(1), which prohibits the sale of pre-need funerals without a certification of authority, and which was enacted as a provision of the Preneed Funeral and Cemetery Act—in violation of Alabama Code § 34-13-56(c)(2)(cc). 	Funeral Director and Establishment license revoked – stayed for two years subject to following conditions: 1. Comply with sentencing order in criminal case 2. Must not violate any part of the Alabama Funeral Service Law. 3. Fines \$20,000.00
ABFS22-0020	 FD committed fraud by accepting payments from individuals and failing to deposit the funs with FH for pre-need funeral arrangements in violation of Alabama Code § 34-13-56(c)(2)(a). FD demonstrated dishonest or improper dealing by accepting payment from consumers in exchange for merchandise and services purportedly to be provided by FH without FH's knowledge of the transaction in violation of Alabama Code § 34-13-56(c)(2)(dd). Unlicensed embalming was performed at FH in violation of Alabama Code § 34-13-56.1(a)(2). FD failed to provide a written explanation within the specified time relating to a matter contained in a complaint filed with the Board, in violation of Alabama Code §§ 34-13-56(c)(2)(v), (y). Managing Embalmer aided and abetted unlicensed embalming at FH in violation of Alabama Code § 34-13-56(c)(2)(i). Managing Embalmer failed to be in full charge, control, and supervision of all activities involving the preparation room and embalming at FH, in violation of Alabama Code §§ 34-13-1(a)(30); 34-13-112(c). 	 Fined \$10,000.00 FD having allowed their funeral director license to expire by failing to renew, agrees not to apply for reactivation of their funeral director's license for 10 years. Managing Embalmer funeral director and embalmer licenses on probation for 2- years
ABFS23-0002	 FH does not own a crematory and failed to include the disclaimer "This establishment does not own a crematory." in a clear and conspicuous manner after being notified of the requirement on three occasions, in violation of Alabama Code§§ 34-13-56(c)(2)(/) and 34-13-1 lO(c)(I) and (2). FH omitted a required disclaimer on a billboard advertisement located on US Highway 82 West at mile marker 59 in County, Alabama, in violation of Alabama Code§§ 34-13-56(c)(2)(b) and (dd). FH violated the terms of their probation imposed by the final order in case ABFS by committing violations in Count I and Count II, in violation of Alabama Code§§ 34-13-56(c)(2)(I). 	1. Fined \$4,500.00 2. No later than February 1, 2023 all advertisements and printed material shall include the following disclaimer in a clear and conspicuous manner": This establishment does not own a crematory" 3. FH license suspended for

		60 days stayed for 2-years.
ABFS22-0037	 Managing Funeral Director & FH violated Alabama Code § 34-13-56(c)(2)(i) by aiding and abetting an unlicensed individual in performing the activities and duties of a funeral director without being licensed by the Board in violation of Alabama Code § 34-13-56.1(a). Managing Funeral Director & FH violated Alabama Code §§ 34-13-112(c) and 34-13-56(c)(2)(l) by allowing an unlicensed individual to engage in the practice of a funeral director without being licensed by the Board in violation of Alabama Code §34-13-56.1(a). Unlicensed individual engaged in the practice of a funeral director without being licensed by the Board, in violation of Alabama Code § 34-13-56.1(a). 	1. MFD & FH fined \$5,000.00 2. Unlicensed Individual fined \$500.00 3. MFD & FH placed on probation for 2-years
ABFS22-0027	 FH & FD accepted funds for the preneed contract of consumer without a certificate of authority to sell preneed contracts, in violation of Ala. Code § 34-13-56(c)(2)(ff). FD violated a statute "affecting the sale of funeral services"—namely the Preneed Funeral & Cemetery Act Code of Alabama, see Ala. Code § 27-17A-10—by accepting funds for preneed contracts without a certificate of authority, in violation of Ala. Code § 34-13-56(c)(2)(cc). 	1. FD fined \$5,000.00 2. FD placed on probation for 2- years
ABFS22-0035	 FH and FD failed to give full cooperation to a representative of the board by providing false information in an attempt to prevent entrance to the establishment for the purpose of inspection, in violation of Alabama Code § 34-13-56(c)(2)(t). FD acted in bad faith and in a dishonest manner by falsely stating they were not at FH to allow entrance for the purpose of inspecting the establishment, in violation of Alabama Code § 34-13-56(c)(2)(dd). 	1. FD & FH fined \$5,000.00 2. FD & FH placed on probation for 2-years

APPRENTICES NEWS

If you were an active apprentice on May 1, 2022, you received correspondence from the Board in October of 2022. This correspondence was to inform you of changes to the course of your apprenticeship because of HB48, which passed during the 2022 legislative session. You were informed of the START DATE and END DATE of the course of your apprenticeship. The course of apprenticeship is now 60 months. **YOU DO NOT HAVE TO COMPLETE THE ENTIRE 60 MONTHS**. You must complete all the minimum requirements below within the 60 months in order to apply for examination and permanent license.

- 1. Serve a minimum 24 consecutive months of apprenticeship
- 2. Submit annual renewals including case reports, annual reports, and skills evaluation
- 3. Submit 50 total cases (a minimum of 10 cases per year) for each issued certificate (i.e.: funeral director/embalmer)
- 4. Graduate of an accredited mortuary science program or completed a certificate program (funeral director only) of an accredited mortuary science program or hold a bachelor's degree (funeral director only) from an accredited university or school.

If the requirements listed above are not completed within the 60 months noted in your letter, your apprenticeship will end, and you will not be eligible for any additional time or another apprenticeship in the State of Alabama.

CREMATION IDENTIFICATION FORM (Reminder)

All establishments are required to use the current State Identification for available on the Board's website. This form cannot be altered or amended. Please discard all old Cremation Identification Forms (State ID forms).

34-13-121 (a)(2) Human remains shall not be cremated ... without a <u>completed</u> state identification form. The following explains the form in sections.

THIS FORM BECAME EFFECTIVE JANUARY 1, 2023





STATE OF ALABAMA ALABAMA BOARD OF FUNERAL SERVICE CREMATION IDENTIFICATION FORM

THIS FORM SHALL ACCOMPANY THE REMAINS THROUGH ALL PHASES OF TRANSPORTING

The Cremation Identification Form (State ID form) is started when the authorizing agent authorizes cremation (signs the cremation authorization form). ALL PHASES OF TRANSPORTING means once a deceased individual is authorized for cremation (signed cremation authorization form) the Cremation Identification Form (State ID form) stays with the body whenever it is moved. (Moved from the prep room to the dressing room, to the chapel, to the transportation vehicle, to the cooler, to alternative container, etc.) IF the body moves so does the Cremation Identification Form (State ID). This form stays with the body.

IDENTIFICATION: NAME OF DECEASED:		_ SOCIAL SECU	IRITY NUMBER: _	
PLACE OF DEATH:	DATE OF C	EATH:	TIME	OF DEATH:
CITY:	COUNTY:		_ STATE:	
DATE OF BIRTH:	AGE: _		_	
PRINTED NAME OF AUTHORIZII	atte	st that I have	have not	refused to
identified the deceased	individual named above. (dat	e signed		
SIGNATURE OF AUTHORIZI	NG AGENT (or representative of):			

- 1. <u>IDENTIFICATION</u>: All information in the identification section is <u>required</u> (NO BLANKS). IF the social security number is not known by the authorizing agent ("unknown" is acceptable) (TIME OF DEATH is REQUIRED) IF the time of death is truly unknown, "unknown" is acceptable. If the time of death is on other documentation, then it was not truly unknown. Make the call to get the information
- 2. "Authorizing agent or representative of" must select that they have, have not, or refused to identify the deceased individual.
- 3. "Authorizing agent or representative of" must attest to their selection by signing.
- 4. Complete the date signed

AME:		
		CITY/STATE:
UNERAL ESTABLISHMENT OF	RIGINALLY RECEIVING REM	MAINS : This section is the funeral home who is
aring for the deceased individ	dual (arranged the cremat	ion with the family) All information in this section
s <u>required</u> .		
ESTABLISHMENT PERFO		
ESTABLISHMENT NAME:		
ADDRESS:		CITY/STATE:
SIGNATURES:	AL RELEASING REMAINS TO CREMATORY)	(CREMATORY REPRESENTATIVE RECEIVING REMAINS)
(INDIVIDO	AL RELEASING REIVIAINS TO CREIVIATORT)	(Chelvial On her reservial IVE receiving relviality)
(PRINTED	NAME OF INDIVIDUAL RELEASING REMAINS)	(PRINTED NAME OF CREMATORY REPRESENTATIVE)
1. ESTABLISHMENT PERFOR	RMING CREMATION: This	is the crematory information
2. This is the person who PH	VSICALLY takes the decease	sed individual to the crematory. (could be a funer
signature (NO BLANKS)	ign when custody of decear crematory who is present	ance service, etc.) Person's printed name an ased individual is given to crematory. when the deceased individual arrives. (could be a serion's printed name and signature (NO BLANKS) al.
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signature (NO BLANKS) Si 3. This is the person at the order cremationist, apprentice, sign when accepting cust OTIFICATION .E./CORONER: ONSENT INFORMATION: OTIFICATION: This section is a section may be completed to be concedured. M.E./Coroner permoderate of the concedures. M.E./Coroner permoderate of the concedure of the concedurate of the concedura	gn when custody of decear crematory who is present other employee, etc.) Per ody of deceased individual DATE: DATE: DATE: DATE: CERTIFICATION OF CRI CERTIFICATION OF CRI (Print name of crematory) at (Print name of crematory) The complete of the complete of the coroner who has jurised before of the coroner who has jurised by the coroner who has jurised	ased individual is given to crematory. when the deceased individual arrives. (could be a rson's printed name and signature (NO BLANKS) II. TIME:

Quarterly Newsletter 9 | P a g e

<u>CERTIFICATION OF CREMATIONIST:</u> This section is completed by the cremationist who performed the cremation. <u>This section must be completed</u>

- 1. This is the name of the cremationist who performed the cremation
- 2. Confirm the number on the form with the metal disk attached to the cremains
- 3. This is the signature of the cremationist. Confirm the name matches the name in #1 of this section. Confirm you are using the current form ABFS092022. Confirm this section is complete **before** accepting the cremated remains.
- A copy of the completed Cremation Identification Form remains at the crematory.
- A copy of the completed Cremation Identification Form stays with the cremated remains and is given to the individual listed on the cremation authorization form as the person to receive the cremated remains.
- A copy of the completed Cremation Identification Form remains in the file of the deceased at the funeral home, that arranged the cremation with the family

Failure to have a completed State ID form prior to the cremation of a deceased individual is a violation of the Code of Alabama, 1975 §34-13-121(a)(2) and Administrative Code 395-X-6-.14(4)(a) which may result in disciplinary action.

GENREAL LIABILITY INSURANCE

Section 34-13-113 (e) Commencing on October 1, 2023, each application for license to operate a funeral establishment or to operate a mortuary service shall include proof of general liability insurance in an amount of at least one million dollars (\$1,000,000). Upon request of the board, proof of continuing coverage shall also be provided for the renewal of either license.