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BOARD MEETING

The Board’s fourth regular meeting of fiscal year 2023 will be held on July 11, 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.

WEBSITE/CONTACT US/MAIL

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 available to anyone accessing the Board’s website.

Need to mail something to us? **The Board moved to its current office in November 2021.** Mail all correspondence to:

Mailing Address: P O Box 309522
Montgomery, AL 36310

Physical Address: 4276 Lomac Steeet
Montgomery, AL 36106

REQUESTS FOR MILITARY HONORS

Mr. Robert Taylor, Memorial Affairs Coordinator, Fort Novosel requested the following information be printed in the quarterly newsletter. This information is also available on [Fort Novosel’s website](#). Please contact the Memorial Affairs office with questions.

“Our hours of operation are 0730-1500, Monday through Friday. The Fort Novosel Casualty Office is closed on the weekends and all federal holidays. You must call during business hours to check availability. We need to receive your request and supporting documents 2 business days prior to the desired service date in order to complete the request. Requests received after 12PM will start the 2-business day processing period the next business day. **** We cannot support next day requests. ****If you have not received confirmation that we received your request by 3PM, please contact the Casualty Office at 334-255-9081.”

Request for Military Honors is a **“coordination”** between multiple parties. Respect should be extended to all individuals coordinating requests for an eligible veteran.

GENERAL 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 (\$1,000,000.00). Beginning October 1, 2023, proof of the establishment’s general liability insurance must be made available for review during the establishment’s annual inspection and when renewing the establishment license.

SB131(Preneed)

SB131 Preneed Bill (Act 2023-094) passed and has been signed by the Governor. SB131 Transfers the regulation of Preneed funeral contracts from the Department of Insurance to the Alabama Board of Funeral Services and becomes effective October 1, 2023. **For 2023 Certificate of Authority holders and preneed sales agents will continue to renew with the Department of Insurance.** More information about this topic will also be coming soon.

CREMATION AUTHORIZATION FORMS

Administrative Code 395-X-6-.14 Cremation Authorization – lists the information required to be on the cremation authorization form. Disposition of the cremated remains and the party to receive the cremated remains are part of this required information. All of the required information in 395-X-6-.14 shall not be left blank. Take the time and review the authorization form used by your establishment. Beginning October 1, 2023 authorization forms and State ID forms that are missing the required information will result in a \$500.00 citation for the establishment and the crematory.

UNCLAIMED CREMATED REMAINS

Does your establishment have unclaimed cremated remains? 34-13-122 states the authorizing agent is responsible for the disposition of cremated remains. If the establishment is in possession of cremains after 60 days, the establishment may dispose of them in a dignified and human manner.

HB129(Veterans)

HB129 sponsored by Representative Paschal, relating to veterans, passed on May 31, 2023, will become effective August 1, 2023. This bill will amend 34-13-122 – Disposition of cremated remains and **STATES**

- The authorizing agent is to sign a statement specifying the disposition of cremated remains (***This information is required to be completed on the cremation authorization form and it must be completed***)
- Establishments are to retain this statement for 5 years (***keep a copy of the cremation authorization form in the individual's file***)
- Establishments with cremated remains in their possession who choose to dispose of them after 60 days may dispose of them in a dignified and humane manner (***dignified and humane is defined as placement of the cremated remains in an appropriate mausoleum, crypt, vault, columbarium niche, or inground site***)
- Establishments who dispose of the cremated remains shall keep a record of the disposition for 5 years (***keep a record of the disposition in the individuals file***)
- Before the disposition of unclaimed cremains, the establishment must use best efforts to determine if the individual was a United States veteran who is eligible for burial in a veterans cemetery. (***contact the VA***)
- If unclaimed cremains are of an eligible veteran, the cremains may be transported to a national or state veterans cemetery for interment or released to a “veterans service organization or a nonprofit organization approved by the Alabama Department of Veteran Affairs” for the purpose of interment

APPRENTICES RENEWALS

APPRENTICES RENEWALS for fiscal year 2023-2024 will begin JULY 1, 2023 AND RENEWALS ARE DUE BY SEPTEMBER 1, 2023. The deadline to renew without penalty is SEPTEMBER 1, 2023. Failure to receive a notice does not excuse a licensee from renewing by the deadline. *ONLINE RENEWAL* is available by going to the Homepage of the Alabama Board of Funeral Service website (www.fsb.alabama.gov), click on "LICENSEES" then ONLINE SERVICES". A valid credit card will be needed to complete an online renewal. A 4% administration fee will be added to each certificate that is renewed using the online system. It is extremely important that online users verify the information (i.e. address, email address, etc.) on their profile. Annual reports, case reports and skills evaluations can be uploaded thru online services. Don't forget to get your supervisor's signature.

Certificates not renewed by the SEPTEMBER 1st, may still renew with a \$100.00 late penalty per license or certificate until October 1, 2023. On October 2, 2023 a certificate that has not been renewed will be considered expired at which time the individual must CEASE and DESIST all practice. Any renewal received after the October 2nd deadline must apply for reactivation.

****All renewals must be complete, and fees must be *IN* the board's office on or before the close of business on September 1, 2023, Postmark dates are not taken into consideration. Any renewal received, whether by mail, online renewal, or hand delivered, after September 1, 2023 must include the \$100.00 late penalty per license or certification.**

APPRENTICES NEWS

If you were an active apprentice on May 1, 2022, you received correspondence from the Board in October of 2022. You were informed of the START DATE and END DATE of your apprenticeship. The course of apprenticeship is 60 months. **YOU DO NOT HAVE TO COMPLETE THE ENTIRE 60 MONTHS**; but if you continue at practice as an apprentice after your 24 consecutive months you must **renew annually submit case reports, annual reports, and skills evaluations.**

CONTINUING EDUCATION

LICENSEES YOU ARE ALMOST HALFWAY THRU THE REPORTING PERIOD... 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 an examination for licensure:

ANTHONY PLEDGER

JALONI WILLIAMS

BARAKA TRUSS

PAMELA PARTRIDGE

WILLIAM HAVENS

MATTISON LOVELL

EBONY RODGERS

ALEXIS BARNES

CHOLE FRANKS

JERRY BOWMAN

CARLTON MAYE

REN MAYEAUX

DANIEL O'BRYANT

AWLAHJADAY AGEE

APRIL WHITE

CHRISTOPHER JONES
TYSON BURWELL
YOLANDA COLLINS
LACANDACE PASTER

GENE SIMS
KENNETH EAST
TIMOTHY LEGGITTE

CODY NEELY
REBECCA IVY
JEANNIE JOINER
TAYLOR SHERER

THE CONFERENCE

The National Funeral Director and Embalmer's exams are given by The Conference through Pearson VUE testing centers at five locations statewide. Please see The Conference's website for registration and exam information. A candidate's eligibility is determined by their level of education (mortuary school degree)

The Conference: www.theconferenceonline.org

Phone: 479-442-7076

THE ALABAMA FUNERAL DIRECTOR AND ALABAMA EMBALMER EXAM

The Board now administers the Alabama Funeral Director and Alabama Embalmer Exams in addition to the Laws and Rules exam. The Alabama Funeral Director and Alabama Embalmer exams offer an added option to become licensed in the State of Alabama. A qualified applicant may still take the NBE (National Board Exam) depending on their level of education, i.e., mortuary school degree, funeral director certificate program (FD only), Bachelor's degree (FD only). The exam's intended 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.

Individuals interested in registering for an exam administered by the Board can review the "examination tab" located on the Board's website by clicking "applicants" then "examinations".

<https://fsb.alabama.gov/applicants/examinations/>

STATE LAW EXAM

For information about the State Law please see the "examination tab" located on the Board website by clicking "applicants". See the website for exam deadlines, testing dates and times.

NEW LICENSEES (approved during the April 4th Board meeting)

GREISY VALLADARES
SUZETTE STRINGFELLOW
SAMUEL LEWIS
RUSSELL MCLACHLAN

Funeral Director

ANGELA HARRIS
KATHY RODGERS
DONNA PATTERSON
TIMOTHY KILPATRICK
JOSHUA WILLIAMS

MARTIN BROWN
MAKAYLA BAINE
CAMILLE WHITE

Funeral Director and Embalmer

MARQUIS JACKSON
SHARON HUSBANDS
KAYLA CLARK
ROGER EVANS

NIKKI COMBS
KINLEY KELLEY
JESSICA SIMMONS
MONICA SUMMERVILLE
EDMUND FORD

SABRINA YOUNG
EDDIE SHEFFIELD
TRACIE BICKELHAUPT
MONTE MADDOX

Cremationist

WILLIAM WILSON
COREY BUTLER

CHRIS THACKER
JAE'LON LEONARD
JOHNNY TURVIN

VICTORIA DURST
AARON CURENTON

Reactivation

Apprentice Funeral Director: 1

Apprentice Embalmer: 1

Apprentice Funeral Director and Apprentice Embalmer: 1

Funeral Director: 1

Cremationist: 1

Establishments

Dunklin Funeral Home DBA Johnson Funeral Home (Georgiana)

Buy Out

ACTIVE LICENSE COUNT (as of April 1, 2023)

Establishments	479	Special Work Permit-Embalmer	0
Mortuary Services	2	Special Work Permit-Cremationist	0
Funeral Directors	1496	Apprentice Funeral Directors	309
Embalmers	835	Apprentice Embalmers	186
Practical Embalmers	40	CE Providers	36
Cremationists	300	Application received	108
Special Work Permit-Director	0	Licenses Issued	97
Background Checks January 2, 2023 - April 1, 2023			149

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 (January 1, 2023 – April 1, 2023)

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
Are outside openings screened, covered, or sealed to prevent the entrance of insects or rodents?	\$100
Is the Crematory clean and sanitary	\$100
Is the funeral coach or hearse properly licensed?	\$300
Does the identification have required information?	\$100
Are state Identification forms for each cremation complete?	\$500
Embalming record all 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-6-.07?	\$100 per body not identified

CONSENT AGREEMENTS (January 1, 2023 – April 1, 2023)

<p>ABFS23-0001</p>	<ol style="list-style-type: none"> 1. Failed to respond to requests for information from the Department of Insurance as required by Alabama Administrative Code r. 482-3-002-.16, in violation of ALA CODE §§34-13-56(c)(2)(cc). 2. Failed to file required inactive certificate holder reports for years 2019, 2020, 2021, and 2022 with the Department of Insurance as required by Alabama Administrative Code r. 482-3-003-.13(4), in violation of ALA CODE 34-13-56(c)(2)(cc). 3. Failed to furnish in writing, an explanation to a matter contained in a complaint filed by the Department of Insurance relating to ABFS23-0001, in violation of ALA Code 34-13-56(c)(2)(v)/ 4. Demonstrated bad faith or improper dealing by failing to issue a refund to a CONSUMER as stated in an email to the Department of Insurance, in violation of ALA CODE 34-13-56(c)(2)(dd). 5. Demonstrated bad faith or improper dealing by failing to issue a refund to a CONSUMER as stated in an email to the Department of Insurance, in violation of ALA CODE 34-13-56(c)(2)(dd). 	<ol style="list-style-type: none"> 1. FD and FH have forty-five (45) days from the execution of this Agreement to: <ol style="list-style-type: none"> a. File required inactive certificate holder reports for years 2019, 2020, 2021, and 2022 with the department of Insurance as required by Alabama Administrative Code r.482-3-003-.13(4); b. provide the Department of Insurance with a written response addressing the complaints of CONSUMER and CONSUMER, and an explanation for your delayed response; c. Provide proof that fulfillment of the CONSUMER and CONSUMER requests (whether by transfer to the chosen funeral home or a refund based on the terms and conditions of the contracts) have been completed. 2. If FD and Establishment fail to comply, FD, EM, Establishment license shall be suspended for 60 days. 3. If the FD and Establishment complies, then suspension shall be stayed for two years (probation).
<p>ABFS23-0004</p>	<ol style="list-style-type: none"> 1. Engaged in the practice of a funeral director by preparing deceased for burial without being licensed by the Board, in violation of Alabama Code\$ 34-13-56.1 (a). 2. Engaged in the practice of embalming without being licensed by the Board, in violation of Alabama Code\$ 34-13-56.l(a). 3. Managing FD/EM aided and abetted unlicensed individual in performing unlicensed funeral directing and unlicensed embalming, in violation of Alabama Code g 34-1 3-56(C)(2)(i). 	<ol style="list-style-type: none"> 1.Unlicensed Individual and Managing FD/EM hereby retract their applications for permanent license as a funeral director and embalmer. Their respective application fees will not be refunded. 2.Unlicensed Individual and Managing FD/EM shall not apply for any license or certification in the State of Alabama or for any other license or certification issued by the Board for a period of 10 years beginning on the date this agreement is entered.

<p>ABFS22-0025</p>	<ol style="list-style-type: none"> 1. Failed to acknowledge the rightful authorizing agents after the authorizing agent relinquished their rights as to disposition, in violation of ALA CODE§ 31-13-11(a)(3),(4),(d). 2. Demonstrated bad faith, incompetence, or untrustworthiness by allowing the cremation of an individual without written consent of the authorizing agents and misrepresenting an individual as the authorizing agent to multiple agencies after the individual relinquished their rights to the disposition, in violation of ALA CODE §§34-13-56(c)(2)(dd); 34-13-56(c)(2)(a). 3. Contracted with Crematory to perform the cremation of an individual, without a cremation authorization form signed by a rightful authorizing agent, in violation of ALA CODE §34-13-121(a)(2). 	<ol style="list-style-type: none"> 1. Funeral Director and Establishment -1-year probation 2. Fined \$6,000.00
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