

# QUARTERLY NEWSLETTER

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## **BOARD MEETINGS**

What: The second quarterly meeting of the Alabama Board of Funeral Services

When: January 9, 2024

Where: 4276 Lomac Street, Montgomery, AL 36104

Times: Funeral Division 10:00 a.m.

Board of Funeral Services 11:15 a.m.

Preneed Division 12:00 p.m.

Matters or subjects not on the agenda are not guaranteed for discussion at the meeting.

Please make the notice available to all employees.

## **NOTICE OF INTENDED ACTION**

The Board has filed a Notice of Intended Action with Legislative Services Agency to make Emergency Rules, that were adopted by the Board on August 2, 2023 and became effective on October 1, 2023, Permanent Rules. The Emergency Rules were adopted due to the passage of SB131 (Act No. 2023-94 effective 10/1/2023), the board's composition changed to increase the board to 14 members (11 professional and 3 consumers) and forming a funeral division and preneed division of the board and to clarify who must submit to the background check when applying for a certificate of authority on behalf of an entity. To review the rules in their entirety, please visit the Board's website at [www.fsb.alabama.gov](http://www.fsb.alabama.gov). Comments concerning the rule can be emailed to [charles.perine@fsb.alabama.gov](mailto:charles.perine@fsb.alabama.gov) until January 4, 2024. A public hearing will be held on January 9, 2024 at 11:15 a.m.

## **PRENEED DIVISION**

Regulation of Preneed funeral contracts transferred from the Department of Insurance to the Alabama Board of Funeral Services on OCTOBER 1, 2023. **The Governor and Lieutenant Governor have made their appointments for the Preneed Division of the Board of Funeral Services.** Welcome to the board Mr. Brian Shake of District 1, Mr. Randall Anderson of District 3, Mr. Michael Morrison of District 4, Mrs. BryOnda Collins of District 7, and Consumer Member Jennifer Haskell.

The board had their first official meeting Thursday, November 09, 2023. It was determined during that meeting that the rule making process for the preneed division would begin November 30, 2023, at 8:00 a.m. We will take into consideration each submission that has been sent into the board regarding any changes that you feel like should be made to the rules. If you have not done so and would like to make a suggestion, please submit them to us via email **as soon as possible**. The next meeting will be December 19, 2023 before we submit the changes to LRS. You can email the board at [info@fsb.alabama.gov](mailto:info@fsb.alabama.gov), or you may email Charles Perine or Laura Sullivan at their own emails.

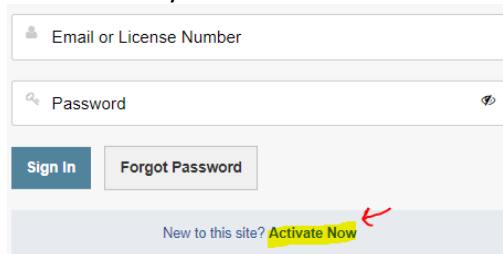
We look forward to making preneed better for the consumer and the industry. We ask that you please remain

patient with us while we work through all the kinks. One of those kinks being the issuing of new COA numbers, and PSA numbers. As we work to getting the new licensing system ready to go live, issuing new numbers will be one of the first things to take place. Soon after you will see changes to the online services thru the website that will allow for online submissions of applications and reports, as well as changes that come from the rule making process. During this time, **if we do not have your current email on file**, please submit that to us via email. It is important that each person working at your business entity have their own email address, as this will be how they will be able to navigate through the new licensing system. Any shared emails will only be able to be used by one person. Having your current email will also ensure you receive all the latest updates we send out.

## **LICENSING SYSTEM**

The Board's website has a fresh new look. If you have not visited the website check it out at [www.fsb.alabama.gov](http://www.fsb.alabama.gov). Online services is active, so take the time to set up your password and review your profile using the instructions below.

1. Go to the Board's website: [www.fsb.alabama.gov](http://www.fsb.alabama.gov)
2. Click "Licensees" on the homepage.
3. Click "Online Services"
4. Click "Licensee Portal"(Individuals) or "Business Licensing" (Establishment)
5. Enter your "Email or License Number"



6. If you completed your original application in the "Application Portal", then your password is the same password created to complete the online application.

If you did NOT complete an online application, click "Activate Now"

7. Follow the steps to create a password and establish security questions for "Two-Stage Authentication".
8. Once in the system, the menu column will appear on the left side of the screen.

An email address can only be used once, each licensee and each establishment must have a separate email address to create a user account for online services. Once your profile is active, you can make updates thru online services. The Board uses email as its primary way of contacting you. The new system will allow active licensees to

- print active licenses
- change supervisors
- change managers
- upload reports
- change email address
- change place of employment
- upload required documents
- pay fines and fees
- change or reset passwords
- \*CE portion coming soon
- Apply for a license or certification
- renewals

## **GENERAL LIABILITY INSURANCE**

**Section 34-13-113 (e)** Commencing on OCTOBER 1, 2023, each application for license to operate a funeral establishment or 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.** Certificates of Liability Insurance must contain the insured name (name of establishment, LLC, Corporation), coverage amount, effective date, expiration date, and policy number.

## **BACKGROUND CHECKS**

When applying for a new license, applicants must submit (TWO) FD-258B(blue) fingerprint cards, ONE background check application and ONE fee of \$38.25 payable to the Board. The applicant sends the cards, the application, and the fee to the Board. Background checks are valid for one year. The Board will send one blue card to the FBI for a federal background check and one blue card to ALEA for a state background check. All fees can be made payable in one check. This is part of the application process and a requirement for licensure. See the example of the blue card to the left.

## **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 the crematory your establishment uses. (This also applies to crematories used that are not located in Alabama). 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. Authorizations can be emailed to the Board for review.

## **UNCLAIMED CREMATED REMAINS & UNCLAIMED CREMATED REMAINS OF VETERANS**

HB129 became effective August 1, 2023. This bill amends 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 veteran cemetery.
- If unclaimed cremains are of an eligible veteran, the cremains may be transported to a national or state veteran 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 .

***(Contact The Alabama Department of Veteran Affairs for trusted organizations who have been approved to work with Alabama funeral establishments in identifying and interring eligible veterans in a state or national veterans cemetery )***

## **APPRENTICES NEWS**

**APPRENTICES RENEWALS** for fiscal year 2023-2024 ended OCTOBER 1, 2023. Past due certificates not renewed by October 2, 2023, are considered expired and the individual must CEASE and DESIST all practice. Any renewal received after the OCTOBER 2nd deadline must apply for reactivation.

## **CONTINUING EDUCATION**

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. Don't forget to get your BBP/UP and ethics courses before October 2024. ***The CE portal will be operational soon so you can check your completions. Please wait until the CE portal is open before calling the office about CE completions.***

## **HAPPY BIRTHDAY**

If you will be celebrating your 65<sup>th</sup> 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:

BRADEN MORRISON	MARILYN TUCK	CAITLIN COTTON
ANGELA BOLTON	DARRELL DAVIS	DAKOTA GOODWIN
ALEXANDREA DOWNING	ALYCE VOLLMER	DENNIS HYLAND
KAREN MELSON	SCOTT EVANS	TORI ADAMS
HALEY GARNER	TICOLE CHESTER	ARIEL HARRIS
RANDALL LEGGE	WILLIAM SUMLAR	JOHN MCLENDON
ROBIN MASON	AUBREY KING	APRIL TUCKER
AUTUMN HUGHES	RUBY ANDERSON	BILLY JONES, JR
ERROL MINOR	CODY GILLIAM	RACHEL DAVENPORT
JOHN PERKINS, II	ANDRE LOVE	MONICA CRIST
BRIAN KEITH	ALICIA KEITH	WAYLON POWELL
MIRANDA COOK	BETTY MILLER	IVAN HERNANDEZ

## **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.

The Conference: [www.theconferenceonline.org](http://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 eligibility, 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 Laws and Rules exam 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 October 5, 2023 Board meeting)

	<u>FUNERAL DIRECTOR</u>	
MEGAN HILYER	JOSHUA WALES	MAKEBA BRADSHAW
SCOTT VEAL	QUINTON CROSS	ALEXANDREA DOWNING
RAQUEL JONES	SAMANTHA BROWN	BRADLEY BRIDGES
ALLEN MALONE	ANDRE FOREMAN	DENNIS HYLAND

	<u>FUNERAL DIRECTOR &amp; EMBALMER</u>	
JONATHAN POOLE	CAITLIN COTTON	MELISSA MILLENDER
NICKY LEONARD	TYRONE SPEAKS	WILLIAM O. PETTY
ALEXIS BARNES	WILLIAM AARON	ANDREW ONDICH
CHRISTOPHER BONNER		ALEXIS BARNES

	<u>EMBALMER</u>	
MARILYN TUCK	STACY BALL	CHARLES WOODS

	<u>CREMATIONIST</u>	
JAMES HOOTEN	DARREL DAVIS	RANDALL HICKS
KENNETH EAST	MICHAEL DAVIS	LELA BROWN
ALLEN MALONE	BRANDON GREEN	JAMES MARTIN, JR
GLENNA PINION	SOFIA THORNTON	DONALD MYRICK
STEPHANIE CARTER	JONATHAN POOLE	REGAN MORELAND

REACTIVATION  
Apprentice Funeral Director: 1

ESTABLISHMENTS

SKELTON FUNERAL HOME (REFORM)	BUY OUT
GRACE MEMORIAL CHAPEL (LINEVILLE)	NEW
ROYALTY FUNERAL SERVICE (MAPLESVILLE)	NEW
RANDALL MILLER MORTUARY (SELMA)	NEW
FAITH MEMORIAL CHAPEL (FAIRFIELD)	NEW

**ACTIVE LICENSE COUNT (as of October 1, 2023 )**

Establishments	476	Special Work Permit-Embalmer	0
Mortuary Services	3	Special Work Permit-Cremationist	0
Funeral Directors	1539	Apprentice Funeral Directors	225
Embalmers	858	Apprentice Embalmers	135
Practical Embalmers	39	CE Providers	39
Cremationists	330	Application received (YTD)	271
Special Work Permit-Director	0	Licenses Issued (YTD)	244
Background Checks (YTD)			308

**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 (July 1, 2023 –October 1, 2023)**

<b>Minimum Standards</b>	<b>Fine for Violating</b>
All Current?	\$200
Are Licenses, Certificates and Registrations on public Display?	\$100
Are openings between the preparation room and public areas sealed to prevent fumes from escaping?	\$100
Are outside openings screened, covered, or sealed to prevent the entrance of insects or rodents?	\$100
Are price cards displayed on each casket as merchandised?	\$100 per casket without card or brochure
Are state Identification forms for each cremation complete?	\$500
Are there 8 full size different adult caskets on the premises?	\$300 per casket below minimum
Aspirator, trocar, nasal tube aspirator, aspirating hoses?	\$200
Does the establishment have a funeral coach or hearse for transporting human remains?	\$300
Does the identification have required information?	\$100
Does the establishment pricing meet the rules established by the Federal Trade Commission?	\$500
Embalming record all current?	\$200
Are roof and overhead coverings well maintained to prevent any leaks to the interior of the funeral establishment?	\$200
Is the funeral coach or hearse properly licenses?	\$300
Plumbing and Fixtures Adequate?	\$100
Method of IDENTIFICATION as required by §395-X-6-.07?	\$100 per body not identified

**CONSENT AGREEMENTS (July 1, 2023 –October 1, 2023)**

<b>Case Number</b>	<b>Charge</b>	<b>Penalty</b>
ABFS23-0025	<ol style="list-style-type: none"> <li>Violated Alabama Code §34-13-56(c)(2)(i) by aiding and abetting an unlicensed individual in performance of the activities and duties of a funeral director without being licensed by the board in violation of Alabama Code § 34-13-56.1(a).</li> <li>Violated Alabama Code §34-13-112(c) (as incorporated through §34-13-56(c)(2)(1)) 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).</li> </ol>	MFD on probation 2-years Establishment probation-2 years Fined - \$5,000.00
ABFS23-0025	<ol style="list-style-type: none"> <li>Violated Alabama Code V34-13-56.1(a) by engaging in the practice of a funeral director without being licensed by the Board as such.</li> </ol>	Fined - \$500.00

**CONTACT US/WEBSITE/MAIL/PHONE/EMAIL**

Questions? Visit the Board's website [www.fsb.alabama.gov](http://www.fsb.alabama.gov). Don't see what you are looking for? "Contact us" is the newest way to get the answer.

Need to call?

334-242-4049

Need to put something in the mail?

Mailing Address: P O Box 309522

Montgomery, AL 36310

Physical Address: 4276 Lomac Steet

Montgomery, AL 36106

Need to send an email?

"Contact us" [www.fsb.alabama.gov](http://www.fsb.alabama.gov)

[info@fsb.alabama.gov](mailto:info@fsb.alabama.gov)

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