

WV BOARD OF FUNERAL SERVICE EXAMINERS
REGULATORY REVIEW REPORT
DUE NOVEMBER 1, 2018

SERIES 1

FUNERAL DIRECTOR, EMBALMER, APPRENTICE, COURTESY CARD HOLDERS AND
FUNERAL ESTABLISHMENT REQUIREMENTS

DESCRIPTION: This rule is considered a general rule that covers several different items regulated by the Board. These items include general definitions relative to the industry; requirements for the licensing of the various licenses; who controls disposition of a deceased, health requirements regarding disposition of bodies; incorporates the Federal Trade Commission Rule relating to price disclosures and misrepresentations; confidentiality of information related to a deceased; supervision of facilities; inspections; required equipment; licensing fees and other fees; correspondence with the Board; continuing education requirements; reinstatement of licenses; inspector and investigator requirements; permission to cremate, disclosure for unclaimed cremated remains, removal of objects from a body; the authorized representative for right to control final disposition; storage and disposal of unclaimed remains; release of cremated remains and record keeping practices.

According to available records, the rule was first promulgated June 13, 1985 and modified on the following dates:

June 12, 1987
July 1, 2001
June 23, 2003
March 31, 2008

DETERMINATION: The Board is currently studying several items in this rule for possible future change. It is possible that changes may be proposed within the next year or two, however, at this time the Board proposes the rule be continued with no changes.

REASONS: The filing deadline has already passed. The Board is not prepared to make the decisions concerning speciality items at this time.

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Agency	Title-Series	Date Effective	Name	Type/Status	Authority
Funeral Service Examiners	6-04	1/1/2001	Complaint And Hearing Procedures	Active	§§30-6-3(l); 30-1-8(h); 30-6-8; 30-6-14
Agency	Title-Series	Date Effective	Name	Type/Status	Authority

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Agency	Title-Series	Date Effective	Name	Type/Status	Authority
Funeral Service Examiners	6-02	6/23/2003	Crematory Requirements	Legislative Active	§30-6-1 et seq
Funeral Service Examiners	6-02		Crematory Requirements	Legislative Historical	
Funeral Service Examiners	6-02		Funeral Goods Sales	Legislative Historical	
Agency	Title-Series	Date Effective	Name	Type/Status	Authority

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Results					
Agency	Title-Series	Date Effective	Name	Type/Status	Authority
Funeral Service Examiners	6-01	3/31/2008	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders And Funeral Establishment Requirements	Active	§30-6-1 et seq
Funeral Service Examiners	6-01	6/23/2003	General Provisions	<i>Historical</i>	
Funeral Service Examiners	6-01	7/1/2001	General Provisions	<i>Historical</i>	
Funeral Service Examiners	6-01	6/12/1994	Rules Of The WV Board Of Embalmers And Funeral Directors	<i>Historical</i>	
Funeral Service Examiners	6-01	6/12/1987	Rules Of The WV Board Of Embalmers And Funeral Directors	<i>Historical</i>	
Funeral Service Examiners	6-01	6/13/1985	Rules Of The WV Board Of Embalmers And Funeral Directors	<i>Historical</i>	
Funeral Service Examiners	6-01		Licensing Requirements	<i>Historical</i>	
Agency	Title-Series	Date Effective	Name	Type/Status	Authority

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SERIES 2

CREMATORY REQUIREMENTS

DESCRIPTION: This rule covers the general operation of a crematory and the licensing of such facilities and crematory operators. The rule sets forth the general definitions relative to the industry; prohibited acts; crematory operator requirements; training requirements; the general control of the deceased; health requirements; procedures relative to evidence of a crime; price lists; advertising; confidentiality relating to a deceased; supervision requirements; necessary equipment; permission to cremate and disclosure for unembalmed bodies; identification of dead human bodies; cremation procedures; privacy; removal from the cremation chamber; release of cremated remains; storage and disposal of cremated remains; procedures for unclaimed remains; record keeping practices, inspections; fees; correspondence with the Board; licensing periods; reinstatement of licenses; authorized representative for the purposes of final disposition; dispute; immunity and penalties for violation of the rule.

According to available records, the rule was first promulgated on June 23, 2003 and has never been modified.

DETERMINATION: The Board is currently studying several items in this rule for possible future change. It is possible that changes may be proposed within the next year or two, however, at this time the Board proposes the rule be continued with no changes.

REASONS: The filing deadline has already passed. The Board is not prepared to make the decisions concerning speciality items at this time.

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SERIES 4

COMPLAINT AND HEARING PROCEDURES

DESCRIPTION: This rule relates to the complaint and hearing procedures for all licensees and registrants. The rule sets forth the procedures for proceeding with complaints, the referral to the Complaint Committee and recommendations from that Committee to the Board; if the board finds a violation the options for settlement by Consent Agreement or to proceed with a formal hearing; procedures for Administrative Hearings, final orders by the Board after hearing and the right to appeal from such order.

According to available records, the rule was first promulgated on January 1, 2001 and has never been modified.

DETERMINATION: The Board is currently studying several items in this rule for possible future change. It is possible that changes may be proposed within the next year or two, however, at this time the Board proposes the rule be continued with no changes.

REASONS: The filing deadline has already passed. The Board is not prepared to make the decisions concerning speciality items at this time.