

Virginia Funeral Directors' Association (VFDA) 2019 Legislative Agenda

- 1. Electronic Death Registration System – EDRS (§ 32.1-263. Filing death certificates; medical certification; investigation by Office of the Chief Medical Examiner.)** – required use by all physicians signing a death certificate in the Commonwealth of Virginia.

The Electronic Death Registration System was in planning and development by the Virginia Department of Health's Division of Vital Records for a number of years, and finally launched in October 2014. The system was developed internally, (as opposed to purchasing an "off the shelf" product), at a cost of approximately \$4 million, (not including staff time). It was an expensive and time consuming project and is considered a voluntary program for stakeholders such as funeral directors, physicians and the Office of the Medical Examiner.

Since its inception, VFDA has worked to onboard stakeholders to the program. VFDA supported and found patrons for legislation that would require physicians working at the state funded medical schools, such as UVA and VCU, to use EDRS to file death certificates. That legislation was successful in 2017. Additionally, VFDA was able to garner support to have language included in the state budget that would require VDH to create an EDRS stakeholders work group to discuss how to improve the EDRS system.

In 2018, VFDA worked to increase the critical mass of physicians by supporting and finding patrons for legislation that would require physicians working with hospice programs and all funeral directors to use EDRS to file death certificates. That legislation was successful and similar legislation to VFDA's, patroned by Senator Jennifer McClellan, prompted further stakeholder meetings through

the interim to discuss how to move forward with requiring all physicians to use EDRS.

VFDA will once again support legislation that will require all stakeholder physicians to use EDRS to file death certificates. With support from the Medical Society of Virginia, we suspect that legislation will pass in 2019.

2. **Next-of-Kin Updates (§ 32.1-309.1. Identification of decedent, next of kin; disposition of claimed dead body.)** – VFDA is supporting a proactive effort to update the Next-of-Kin section of the code by delineating very clearly the hierarchy of next-of-kin for the disposition of loved ones. This would include a timeline that would require any person who does not exercise his or her right of disposition within forty-eight (48) hours of notification of the death of a decedent, or within seventy-two (72) hours of the decedent's death, which ever is earlier, shall forfeit his or her right of disposition. The proposed legislation would also clarify that if the code is followed appropriately, funeral service providers will be held harmless should a family member, or other person eligible per Virginia Code, mistakenly or otherwise mislead a funeral service provider.

3. **Increase the number of services for multiple funeral facilities from 85 to 135 (§ 54.1-2810. Licensure of funeral establishments)** – many funeral directors are finding that due to cremations, maintaining the volume of funeral services is reducing the bottom line for their funeral homes. VFDA supports increasing the maximum number of services per multiple funeral facilities from 85 to 135 to keep up financially with the growing number of cremation services.

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