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March 25, 2020

Honorable Ralph S. Northam  
Governor, Commonwealth of Virginia  
Post Office Box 1475  
Richmond, Virginia 23218

Dear Governor Northam:

During the 2020 General Assembly session, SB1044 - Funeral Directors and embalmers; Board to promulgate regulations for licensure, was introduced by Senator Jeremy McPike. At that time the Virginia Funeral Directors Association (VFDA) struggled as an organization and weighed many things before coming to a neutral position on the legislation. However, in a very short period of time literally, our world has changed and we find that our profession places us on the front lines of this health crises alongside many other professions as we have been federally defined as “Critical Infrastructure Workers” or “Essential Workers.” We find this appropriate and hope you will follow that guidance and officially include deathcare workers in Virginia’s definition as well. Our funeral service professionals arrive at hospitals, nursing homes and even accidents, and act as the morgue for many localities.

The Coronavirus, or COVID-19, health crisis has reminded us of why the Board of Funeral Directors and Embalmers found it so important to promulgate regulations for the licensure of Funeral Service Licensee to replace the previous Funeral Directors, and Embalmers licenses. This occurred in the 1970’s and was an important step, not only to curing many of the issues that were occurring with bad actors at that time, but also making sure the health, safety and welfare of the public was appropriately addressed through education and training.

Today, Funeral Service Licensees are required to meet a certain level of education as well as a certain number of hours of training through internship to earn the distinction of qualifying to be a Funeral Service Licensee in Virginia. These requirements are: an associate degree in Funeral Service and Mortuary Science; completion of a minimum of 3000 hours of internship; and passing both NBE-administered national and state board exams. Additionally, there are minimum annual continuing education requirements.

The education and training through internship include how to handle bodies in extreme cases such as we are facing today during the global pandemic, COVID-19. As you might imagine, we work with many physicians like yourself. The same choices you would make to protect yourself while taking care of patients who are infected, are the choices we would make to protect ourselves and others in the unfortunate circumstance that a person would succumb to Coronavirus. No more than you would want any hospital personnel, whether or not a physician, inappropriately or inadvertently exposing himself/herself or others to infection, neither do we. We each achieve this through proper education and thorough training of those charged with the care and handling of the patient/decedent and belongings.

We do not believe that now is proper time to consider approving SB1044. To change the licensure requirements back to the 1970's model would require fewer credentials and less training through internship hours to obtain the licenses. This is counterintuitive to the knowledge and understanding necessary to combat our current health crisis. Moving in a direction of less education associated with the health, safety and welfare of our general public on any level is ill-advised. We do not ever wish to be in a place where such health concerns exist again; however, the sad fact is that it is sure to occur again in some form or fashion.

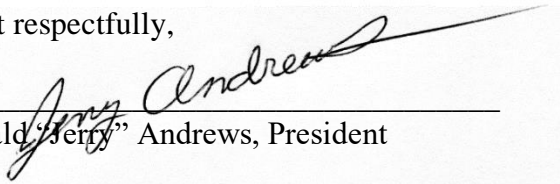
The Virginia Funeral Directors Association is the oldest association for the funeral profession in Virginia and was formed on September 20, 1887 in Richmond. It is also the largest, representing over 200 funeral home establishments and over 750 Funeral Service Licensees. One hundred thirty-plus years later, the VFDA continues its resolve to serve its mission to members and the public by providing and promoting programs and services to enhance members' ability to conduct their individual businesses successfully with integrity, and through collective action, to promote the extension and preservation of the profession; to serve the consumer by advancing the professional competency and economic welfare of its membership; by representing funeral service at all levels of government; and by enhancing the public's understanding of the value of the funeral and the role of the funeral service practitioner.

In other words, VFDA remains committed to the service of its members as well as those families they serve in providing the last act of care for their loved ones, and the elevation of their profession in the Commonwealth of Virginia.

The VFDA asks you, Governor, to consider the following options, provided in order of preference:

1. Veto SB1044; the need to protect the health, safety and welfare of all Virginian's supersedes the desire of a few to not have to be trained in areas of funeral service in which they have no desire to perform. Many professions require training that the practitioner ultimately elects never to perform.
2. Amend SB1044 to delay enactment for at least one year, (which may be too soon to determine the total consequences of COVID-19 on Virginia and the nation); and increase the time required for promulgation of such regulations by allowing the usual and customary process by which regulations are promulgated so that all effects of the COVID-19 health crisis can be considered during the rulemaking process.

Most respectfully,

  
Gerald "Jerry" Andrews, President

  
Jay McEntyre, Chairman – Legislative Committee

CC: Secretary Daniel Carey, Health and Human Resources  
Director David Brown, Department of Health Professions  
Corrie E. Tillman Wolf, Executive Director – Board of Funeral Directors and Embalmers