

Virginia Funeral Directors Association

Legislative Committee

~

Review of Licensure Structure

in Preparation for

Promulgation of Regulations for Dual Licensure

July 2020

**A LITTLE HISTORY**

The role of the Virginia Funeral Directors Association (VFDA) is stated in its mission. How different must the funeral services profession look now from September 20, 1887 when VFDA was first established, (only slightly after the National Funeral Directors Association was established).

The Mission of the Virginia Funeral Directors Association is to serve its members by providing and promoting programs and services to enhance member’s 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.

Traditions, laws and regulations have changed over that time. The United States first funeral home began in 1759 in Williamsburg, VA. (You can read more about the US history of the funeral service profession [**here**](http://www.thefuneralsource.org/funhomhist.html).) However, it was still widely accepted practice for families to bury their own dead.

As the nation continued to grow and change, funeral homes became the conventional way to manage the disposition of a loved one and was considered an important part of public health. The industry surrounding the profession began to grow as well (florists, cards, caterers for receptions, etc., and now even videographers). In the late 1800’s, there were fewer than 10,000 funeral directors in the United States. By the 1920’s, there were nearly 25,000 funeral homes! But for the most part, they remained small, family-owned facilities. Today, there are many large, corporate companies that have purchased many of those family-owned funeral homes and competing next to the ones that are left.

There were many ways to preserve the dead; however, during the Civil War when families wanted to bury their soldiers “back home,” embalming became a necessity as the travel was often long and arduous. Embalming became more widespread after President Abraham Lincoln was embalmed so citizens could pay their respects as his body was transported to various cities and towns.

**CODE OF VIRGINIA**

Although there are previous official Code of Virginia that had been in force, the Virginia General Assembly is now based in the 1950 revision of the Code of Virginia. There have been a great many changes in the laws since then to coincide with technology, economy, and changing norms.

For example, Title 54 in which much of the law under which the funeral service profession resides has been changed multiple times. In a search of the Virginia General Assembly website for the Code of Virginia, we see the following listed under §54.1-2800 Definitions:

Code 1950, § 54-260.1; 1956, c. 220; 1972, c. 797, § 54-260.67; 1988, c. 765; 1989, c. 684; 1991, c. 539; 1997, c. [116](http://lis.virginia.gov/cgi-bin/legp604.exe?971+ful+CHAP0116); 1998, cc. [718](http://lis.virginia.gov/cgi-bin/legp604.exe?981+ful+CHAP0718), [867](http://lis.virginia.gov/cgi-bin/legp604.exe?981+ful+CHAP0867); 2003, c. [505](http://lis.virginia.gov/cgi-bin/legp604.exe?031+ful+CHAP0505); 2006, c. [56](http://lis.virginia.gov/cgi-bin/legp604.exe?061+ful+CHAP0056); 2015, cc. [534](http://lis.virginia.gov/cgi-bin/legp604.exe?151+ful+CHAP0534), [670](http://lis.virginia.gov/cgi-bin/legp604.exe?151+ful+CHAP0670).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

It shows that this section has been changed at least ten times. We know that the VFDA has worked on many bills for its members over the years, but some were in different titles.

These codes changed definitions for such things as “funeral directing” (multiple changes), funeral service licensees, embalmers and interns; how a funeral establishment or crematory must operate and requirements during their inspections; next of kin; disposition of a body; who may request an autopsy; moving oversight of crematories to the Board of Funeral Directors and Embalmers; and so on. Most recently, as we are all aware, was legislation directing the Board to promulgate regulations for licenses that were essentially, but not officially, eliminated in the 1970’s – the Funeral Director Only and Embalmer Only licenses.

**NEXT STEPS**

The following information is to help the VFDA membership decide what its request to the Board for inclusion and exclusion in the new regulations will be, and the information it will present to support those requests. Due to the national health crises with COVID-19, only one member of each organization has been approved to attend the Board meetings during the time this will be discussed.

The VFDA must work quickly to come to an agreement on the details of its request to the Board. The first Board meeting to begin this discussion will be August 14, 2020. Additionally, a final decision must be made for who will represent the VFDA at that and subsequent meetings. Per Ms. Corie Tillman Wolf, the proposed timeline of the process is as follows (and is subject to change):

* August 14, 2020: Convene a Regulatory Advisory Panel (“RAP”) pursuant to the Board’s Regulations (18VAC65-11-70) to provide recommendations to the Board.
* September 1, 2020: Convene RAP for second meeting.
* Each of the three funeral provider associations – VFDA, VMA, and IFHV- will be asked to designate one association representative to participate on the panel.
* Because the current pandemic situation may impact the size of physical meetings and in-person participation by interested parties, the Board will also solicit written public comments prior to the meetings.
* The recommendations will be reviewed by the Board at its October meeting, with the goal of adopting Emergency Regulations at that time.  This will allow time for the Emergency Regulations to be reviewed and approved in time for the **January 14, 2021 deadline**.

We have done some research on the NFDA website. The attached tables will show you a quick breakdown of information such as what states have what sort of licenses and the education and internship requirements to obtain a license. (The full report by the NFDA can be sent upon request.)

Additionally, VFDA membership has been asked for their input as to what should and should not be included in the regulations that will ultimately be approved by the Board of Funeral Directors and Embalmers at the end of this year. There is a matrix of those comments included as well.

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Results of May 2020 Survey of Membership on Dual Licensure in Virginia – 122 Total VFDA Member Responses

(some members did not respond to every question)

In May of 2020, Executive Director, Lacy Whittaker, sent a survey with six questions and allowed for comments. The comments are anonymous. The following is a table of the outcomes of the survey and a matrix of the comments by simple topic heading.

|  |  |  |
| --- | --- | --- |
| **1-**Do you support a “Funeral Director Only” serving under a Funeral Service Licensee or a Manager of Record? | **2-**Do you support the “Funeral Director Only” ability to write pre-need sales with proper licensures for trust or insurance? | **3-**Do you support the “Funeral Director Only” and “Embalmer Only” certificate program models from other states? |
| **115 Responses** | **120 Responses** | **116 Responses** |
| **47.8%** Support serving under a Funeral Service Licensee**52.2%** Support serving under a Manager of Record | **36.7%** NO**63.3%** YES | **47.5%** YES**54.3%** NO |
|  |  |  |
|  |  |  |
| **4-**Should all funeral service licenses be required to hold an Associate of Applied Science Degree? | **5-**Should the Manager of Record be a Funeral Service Licensee? | **6-**Do you support the reduction of hours for internships? |
| **122 Responses** | **121 Responses** | **121 Responses** |
| **26.2%** NO**73.8**% YES | **14%** NO**86%** YES | **39.7** YES**60.3%** NO |

There were 46 total comments. Some were very long and responded to multiple portions of the questions at hand. The questions with multiple responses will be noted in each simple topic heading to which it responded. The matrix will indicate the general sentiment of the comment within the simple topic heading. The full comments will be included at the end of this overview.

|  |
| --- |
|  Education for Funeral Director Only and Embalmer Only Licenses**SAME AS FOR FSL**: Whether an individual is a Funeral Service Licensee or Funeral Director only, the educational requirements should remain the same. Hands on embalming labs could be modified to observation only but everyone needs to understand how embalming works.We should not make it easier to be just a licensed funeral director. We need to continue to require mortuary studies and internship, National board and state board just like other states nc etc.I feel that being knowledgeable in all aspects, in the prep room and out of the prep room has made me a better funeral director to be able to more fully give wise counsel to the families that I serve.Standards should be kept high but I believe dual licensing will work in the Commonwealth.I support the dual licenses, only if the three are the same stiff testing and internship programs put in place for both the Funeral Director's Licensing and the Embalmer's Licensing, that were required of me.I would not be opposed to seeing more strict regulations and testing (practical testing as well) for those that will be applying for and receiving their Funeral Director's License.I do not oppose a dual license, but we have to make sure the requirements are in line so that the person wants to be involved in the funeral profession.**LESS**: [For embalmer only] An internship & a test on the state laws should suffice. With the Cremation rate increasing the industry will need more Directors than Embalmers.The Funeral Director only option would be a benefit for PN but *still involve all aspects of funeral service knowledge and experience* then separate at conclusion of internship.I think the internship hours should be reduced and separate board exams. One for each license instead of Arts and Science like we have now. There should be an Embalmers Exam and a Funeral Directors Exam.**CERTIFICATE**: I support the certificate programs; this will limit them from transferring to other states. |
|  Internship**SAME/MORE HOURS**: [by] splitting licenses, by lower standards of internships, by minimizing requirements for licensure we are lowering our standards and becoming nothing more than "selling machines"I support the dual licenses, only if the three are the same stiff testing and internship programs put in place for both the Funeral Director's Licensing and the Embalmer's Licensing, that were required of me.I would also like to see the internship hours stay at 3000 hours if the intern is applying for both licenses. If the intern is applying for a single license then I would consider the change to 2000 hours.**FEWER HOURS**: [reduction] in intern hours is suggested to allow intern to get credit for all hours worked and potentially increasing the number of families served and bodies embalmed to gain the experience.I think the internship hours should be reduced and separate board exams. One for each license instead of Arts and Science like we have now. There should be an Embalmers Exam and a Funeral Directors Exam.**OTHER**: I think there should be an apprenticeship for Funeral Service Licensee'sI do not oppose a dual license, *but we have to make sure the requirements are in line so that the person wants to be involved in the funeral profession*.I can't answer the last question regarding hours for an intern, as this is the first, I have heard of this. I would like to know what has been recommended or any thoughts regarding the hours. |
|  Dual Licensure**SUPPORT**: There are a lot of well-educated qualified individuals left out of the profession simply because they do not want to embalm.[would] be very helpful and beneficial especially for family owned firms where spouses and of age children of the funeral service licensee could have more help in busier timesWe have to get with the times, be like Our neighboring States NC and MD. It’s working fine for them. Surely VA. can do it also.I support split licenses because I believe it will draw talented professionals into our industry who might otherwise balk at it.[embalming] is an add-on service and should be treated as such. It is not necessary, thus a "Funeral Director only" director is good enough to conduct any funeral service or meet with the public.I think the separation is a good thing.I support a split license… I think this pandemic proves we need well educated professionals versed in the sciences to maintain public health and safety.I think a Dual Licensure should be a choice. Some people want to do one and not the other.Standards should be kept high but I believe dual licensing will work in the Commonwealth.I strongly prefer Dual License. I still retain my Dual LicenseI assume FSL is current with both FD & Embalmer. How can anyone think you have to be an embalmer to sell pre-need?I support the dual licenses, only if the three are the same stiff testing and internship programs put in place for both the Funeral Director's Licensing and the Embalmer's Licensing, that were required of me.Our industry is seeing a decline in available personnel due to retirees and fewer "fully" license capable graduates.Over the past several years it has been very difficult to find a good, high quality candidate to serve as a Funeral Director.Splitting the licenses is a move that has been needed for years.**OPPOSE**: [one] should be licensed as a Funeral Service Licensee and should be fully educated and credentialed to ensure the safety and health of the citizens of the Commonwealth.Funeral director only doesn’t work. I have worked in other states with FD only. You need to know everything not just half.I fear this will lead to a shortage of embalmers in the future.It is a big mistake for fd only or an emb only. You should keep the funeral service license only.Dual licensees are a bad idea but it is what it is. Splitting the license in my opinion lowers the current standardThis falls back to the old saying "if it isn't broke, why are we fixing"?I do not support this at all. This is the first step in getting rid of Funeral Directors. It will be a downhill progression from here.I do not support a separation of licenses, it should be inclusiveI believe that the separation of these license weakens the profession, individually and as a whole. I believe that holding a duel license strengthens the individual parts.Do not support a dual license in any case.I feel that the state of Virginia should stay a single license state because we should have knowledge of all parts of our professions, and this includes embalming. A Funeral Service Licensee should be fully educated, trained, and licensed in all aspects of Funeral Service and Embalming. Anything less than this standard diminishes our profession.I believe the current model works great and shouldn't be changed.Not in favor of a dual license! Keep it the way it is**OTHER:** [separate] license should be on a case by case basis. If the funeral home serves only families where there is no embalming allowed for Religious reasons then that funeral home should be allowed Funeral Director only. |
|  Manager of Record – License Required **SUPPORT:** A single licensee should not be able to manager a firm and should not be able to hold a seat on the NFDA OF V.F.D.A. boards.Personally, I am ok with the manager of record being a FSL but the sponsors (Muslims) of this bill will not support. **OPPOSE**: [should] a Funeral Director only be allowed to manage a firm. Answer yes.Funeral Director Only Should Not be allowed as a Manger of Record.Regarding a funeral director-only licensee being a manager of record, they are already allowed and I expect some who currently hold those licenses are managers of record and you will not be able to change that. (\*NOTE: The Funeral Director only and Embalmer License only were grandfathered in for those who already had them in the 1970’s – except for renewals, it is our understanding that no new FD-only/E-only licenses have been issues.) |
|  Pre-Need: Funeral Service Licensee Required**SUPPORT**: The Funeral Director only option would be a benefit for PN but still involve all aspects of funeral service knowledge and experience then separate at conclusion of internship.**OPPOSE**: You don't have to know how to embalm to sell preneed or be a fantastic funeral arranger. And you certainly don't have to know funeral liturgy to be a great embalmer.**OTHER**: My understanding that in recent General Assembly session anyone can write pre need contracts. Third Party- New Legislation just passed. (\*Note, a third-party MUST meet all the same fiduciary/trust and management of records requirements as funeral service licensees do now.) |
|  Supervision of Funeral Director Only or Embalmer Only**SUPPORT:** I support a split license as long as they *are clearly under supervision of a full licensee*. I think this pandemic proves we need well educated professionals versed in the sciences to maintain public health and safety.**OPPOSE**: It is not a good idea to require a Funeral Director to work under a Funeral Service Licensee. |
|  Misc.V.F.D.A. MUST be a participant at the table in creating this new funeral service model or it won’t have validity or purpose in Funeral Professionals aren’t setting the Standards.I would hope this is taken as a responsibility to make the profession better & not add unnecessary classes or tests that have nothing to do with being a Funeral Director.Our opinion didn't matter before you stated the VFDA's opinion on the proposed legislation. Not sure why it matters now.I could clearly say more but I don't feel the opportunity was ever given to directors as a whole to voice their concerns probably because no one wanted to hear a second side. Money talks.Things have changed a lot in the past 25 years and we have to be willing to learn and change with the wants and needs of our families every day.39 years’ experience as a licensed Funeral Service Provider; 13 years’ experience as Manager of Record (\*\*NOTE: Unsure of context) |

**FULL COMMENTS**

* This survey seems to be set up to require a Funeral Director to work under a Funeral Service License. This is not a good idea. I would hope this is taken as a responsibility to make the profession better & not add unnecessary classes or tests that have nothing to do with being a Funeral Director. There are a lot of well-educated qualified individuals left out of the profession simply because they do not want to embalm. An internship & a test on the state laws should suffice. With the Cremation rate increasing the industry will need more Directors than Embalmers. There is nothing wrong with having a combo license however embalming (which is truly an art) is not necessary at all to run a business. Question not asked should a Funeral Director only be allowed to manage a firm. Answer yes
* A single licensee should not be able to manager a firm and should not be able to hold a seat on the NFDA OF V.F.D.A. boards.
* I do not support separate licensure. I believe one should be licensed as a Funeral Service Licensee and should be fully educated and credentialed to ensure the safety and health of the citizens of the Commonwealth.
* The separate license should be on a case by case basis. If the funeral home serves only families where there is no embalming allowed for Religious reasons then that funeral home should be allowed Funeral Director only.
* This would be very helpful and beneficial especially for family owned firms where spouses and of age children of the funeral service licensee could have more help in busier times.
* Our opinion didn't matter before you stated the VFDA's opinion on the proposed legislation. Not sure why it matters now.
* Funeral director only doesn’t work. I have worked in other states with FD only. You need to know everything not just half.
* The reduction in intern hours is suggested to allow intern to get credit for all hours worked and potentially increasing the number of families served and bodies embalmed to gain the experience. The Funeral Director only option would be a benefit for PN but still involve all aspects of funeral service knowledge and experience then separate at conclusion of internship. Also, Funeral Director Only Should Not be allowed as a Manger of Record. V.F.D.A. MUST be a participant at the table in creating this new funeral service model or it won’t have validity or purpose in Funeral Professionals aren’t setting the Standards.
* My understanding that in recent General Assembly session anyone can write pre need contracts. Third Party- New Legislation just passed
* Regarding a funeral director-only licensee being a manager of record, they are already allowed and I expect some who currently hold those licenses are managers of record and you will not be able to change that.
* Whether an individual is a Funeral Service Licensee or Funeral Director only, the educational requirements should remain the same. Hands on embalming labs could be modified to observation only but everyone needs to understand how embalming works.
* I fear this will lead to a shortage of embalmers in the future.
* It is a big mistake for fd only or an emb only. You should keep the funeral service license only.
* Dual licensees are a bad idea but it is what it is. Proceed with caution and good regulations to make it as honorable and dignified and it can be.
* Splitting the license in my opinion lowers the current standard
* This falls back to the old saying "if it isn't broke, why are we fixing"? My personal feeling is by splitting licenses, by lower standards of internships, by minimizing requirements for licensure we are lowering our standards and becoming nothing more than "selling machines".
* I could clearly say more but I don't feel the opportunity was ever given to directors as a whole to voice their concerns probably because no one wanted to hear a second side. Money talks.
* We have to get with the times, be like Our neighboring States NC and MD. It’s working fine for them. Surely VA. can do it also.
* I do not support this at all. This is the first step in getting rid of Funeral Directors. It will be a downhill progression from here.
* I think there should be an apprenticeship for Funeral Service Licensee's
* I support split licenses because I believe it will draw talented professionals into our industry who might otherwise balk at it. You don't have to know how to embalm to sell preneed or be a fantastic funeral arranger. And you certainly don't have to know funeral liturgy to be a great embalmer.
* In my opinion embalming is an add-on service and should be treated as such. It is not necessary, thus a "Funeral Director only" director is good enough to conduct any funeral service or meet with the public.
* I do not support a separation of licenses, it should be inclusive
* I believe that the separation of these license weakens the profession, individually and as a whole. I believe that holding a duel license strengthens the individual parts.
* I think the separation is a good thing.
* We should not make it easier to be just a licensed funeral director. We need to continue to require mortuary studies and internship, National board and state board just like other states nc etc.
* I can't answer the last question regarding hours for an intern, as this is the first, I have heard of this. I would like to know what has been recommended or any thoughts regarding the hours.
* I support a split license as long as they are clearly under supervision of a full licensee. I think this pandemic proves we need well educated professionals versed in the sciences to maintain public health and safety.
* I think a Dual Licensure should be a choice. Some people want to do one and not the other.
* I think we are dumbing down the funeral profession. When I came into the funeral profession 30 years ago in Virginia, you received a funeral director's license that was for a funeral director and an embalmer. I feel that being knowledgeable in all aspects, in the prep room and out of the prep room has made me a better funeral director to be able to more fully give wise counsel to the families that I serve. It has been said by some that there should be more on the education side, like an associate degree. Sorry friend if it hurts the feelings of some of those in the funeral profession BUT going to school longer... I don't see what it will do to make me a better funeral director. I will go to the extreme here and I am exaggerating here a bit...but school didn't teach me much of anything. What means the most to those that we serve is our empathy and how memorable the experience that we give each person that we serve-good or bad. Yes, we learned about the history of funeral service and the business side of what we do. We can teach someone how to write a contract BUT what school, or what we cannot teach is how to care. The families that we serve on a daily basis couldn't care less about our certificates that hang on our walls. They will not remember half of what we tell them BUT IT IS A FACT that families will remember how we made them feel. People don't care how much you know until they know how much we care...about them. An intern will learn when under the direct supervision of a licensed professional. I know for a fact that many interns in Virginia were cheated out of the training that they should have received during their internship. I can't count how many times that interns have been thrown in to see a family or prepare a deceased loved one for a private family only viewing. Please remember that this is the Funeral Profession NOT the funeral business.
* Standards should be kept high but I believe dual licensing will work in the Commonwealth.
* Do not support a dual license in any case.
* I strongly prefer Dual License. I still retain my Dual License
* I assume FSL is current with both FD & Embalmer

How can anyone think you have to be an embalmer to sell pre-need?

Personally, I am ok with the manager of record being a FSL but the sponsors (Muslims) of this bill will not support. I support the certificate programs; this will limit them from transferring to other states.

* I feel that the state of Virginia should stay a single license state because we should have knowledge of all parts of our professions, and this includes embalming.
* I support the dual licenses, only if the three are the same stiff testing and internship programs put in place for both the Funeral Director's Licensing and the Embalmer's Licensing, that were required of me. To me a great Funeral Director and Embalmer comes with 1st having a good teacher/supervisor during your internship, then secondly having a good teacher in school and lastly having day to day experience. I have been licensed for nearly 25 years and I am still learning something new about this business in its entirety every single day. Things have changed a lot in the past 25 years and we have to be willing to learn and change with the wants and needs of our families every day. I would not be opposed to seeing more strict regulations and testing (practical testing as well) for those that will be applying for and receiving their Funeral Director's License. The practice of embalming has not changed much during my history in funeral service. The amount of cases that are being embalmed now are less due to the rise of cremation and the size of the individuals that sometimes get embalmed has changed due to morbid obesity. I would also like to see the internship hours stay at 3000 hours if the intern is applying for both licenses. If the intern is applying for a single license then I would consider the change to 2000 hours. It really depends on the individual themselves and this is why their needs to be a practical examination put back in place. I would appreciate being kept in the loop as the process of the dual licensing moves forward. Thank you
* A Funeral Service Licensee should be fully educated, trained, and licensed in all aspects of Funeral Service and Embalming. Anything less than this standard diminishes our profession.
* Our industry is seeing a decline in available personnel due to retirees and fewer "fully" license capable graduates. Many other professions have people who deal with the public in service jobs. We should take advantage of those resources.
* 39 years’ experience as a licensed Funeral Service Provider; 13 years’ experience as Manager of Record
* Over the past several years it has been very difficult to find a good, high quality candidate to serve as a Funeral Director. The skill set most managers are looking for to put in front of families and represent their business makes the inventory of candidates very thin. There are a lot of people currently serving in other professions that do not have a desire to embalm but do have a strong desire to work with families.
* Splitting the licenses is a move that has been needed for years.
* I believe the current model works great and shouldn't be changed.
* Question 3 - did not answer as I don't know the requirements of other states to make a decision. I do feel that both licenses should require adequate schooling and apprenticeship and not just take an exam and be able to become a funeral director or embalmer.
* Not in favor of a dual license! Keep it the way it is
* I do not oppose a dual license, but we have to make sure the requirements are in line so that the person wants to be involved in the funeral profession. We do not need fly by night directors who do not have the interest of our profession. The manager on record should be someone who has gone to mortuary school, taken national and state boards. We do not have to make our profession weaker to get help. We have worked hard to be recognize as a profession.
* I think the internship hours should be reduced and separate board exams. One for each license instead of Arts and Science like we have now. There should be an Embalmers Exam and a Funeral Directors Exam.

**IDEAS THAT HAVE BEEN SHARED WITH MEMBERSHIP**

The following are some ideas that the Legislative Committee Chair has shared with membership to get the juices flowing about finalizing how VFDA wants to represent its membership before the Board on the issue of dual licensure.

**LICENSING OPTIONS**

* Many states have all three options, Funeral Director Only, Embalmer Only and Funeral Service Licensee
	+ Does a three-license structure complicate the profession?
	+ Does having a Funeral Director Only and Funeral Service Licensee make a clearer distinction as to what an employee is able to do within the legal and regulatory scheme?

**MANAGER OF RECORD**

* Require a Manager of Record of a funeral establishment be a Funeral Service Licensee
	+ The manager is ultimately responsible for all tasks under the roof of the funeral establishment and should be fully trained to personally manage all of it

**EDUCATION & INTERN REQUIREMENTS**

* Education and Internships vary greatly throughout the United States from zero required education and/or internship to a bachelor’s degree, 75 cases and/or 2000 hours of internship. Many have expressed the desire to reduce education and internship requirements for Funeral Director Only license while others have expressed the desire to keep the same requirements as is now required of Funeral Service Licensees. Points made about the education piece have been:
	+ If attending an accredited school out of state, there is no distinction made in the course work based on which state you intend to become licensed
	+ All coursework, including embalming labs, must be completed to graduate
	+ Allow up to 50% of required hours necessary for Virginia to be transferred in from another state to continue funeral director training and allow a Virginia-based funeral establishment to acquire a strong new employee
* Internships may be the more productive way to change requirements for the Funeral Director Only and Embalmer Only license requirements by:
	+ Honing the internship to the specific license for which the student desires to qualify
	+ This prevents having to take only part of the National Board Exam, or encouraging the National Board to change how it administers the test
	+ This maintains the licensed professional status from being diminished by a requirement for certificate only

**PRE-NEED SALES**

* Pre-need Sales in the United States and DC are broken down as follows:

|  |  |  |
| --- | --- | --- |
| **All Funeral Licensees Allowed to Sell Pre-Need****(License/other requirements)** | **Not All Licenses Allowed to Sell** **Pre-Need** | **No Pre-need Sold by Licensed Funeral Professionals**  |
| Alabama (certificate)California (endorsement)Connecticut (FD/EM)DC (FD)Florida (PN main & PN sales)Georgia (PN Dealer or Sales Agent)Idaho (Certificate of Authority)Indiana (Certificate of Authority)Iowa (n/a)Kansas (Insurance)Kentucky (no)Louisiana (LA DOI Insurance)Maryland (FD/Mortician)Massachusetts (Embalmer / FD)Michigan (Funeral & Cemetery Registration)Minnesota (PN ins/yes; PN provider/no)Montana (Mortician)Nevada (Insurance)New Jersey (FD)New Mexico (DOI License)New York (FD)Oklahoma (Ins. Provider)Oregon (PN Salesperson)Pennsylvania (n/a)South Carolina (n/a)South Dakota (n/a)Tennessee (yes)Texas (permit or sell under permit holder)Utah (PN sales agent or PN Provider)Vermont (no license)Virginia (FSL/Ins.)Washington (Ins. / FD)Wisconsin (Cemetery Board) | Arizona (Salesperson and establishment must have license)Maine (regulated by BOI)Missouri (PN entities/PN agent)North Carolina (PN sales)Ohio (n/a) | Alaska (n/a)Arkansas (regulated by DOI)Colorado (?)Delaware (n/a)Hawaii (n/a)Illinois (regulated by comptroller)Mississippi (n/a)Nebraska (regulated by DOI)New Hampshire (n/a)North Dakota (n/a)Rhode Island (n/a)West Virginia (regulated by AG office)Wyoming (regulated by DOI) |
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* Because the sales of this financial product should be tied closely to consumer protections, Funeral Director Only licensees should be required to:
	+ Obtain insurance license required to sell pre-need
	+ Complete the Certified Pre-Planning Consultant training course
	+ If hired only to sell pre-need, obtain full insurance license

**QUESTIONS TO ASK INTERNALLY**

Because SB1044 instructs the Board of Funeral Directors and Embalmers to promulgate regulations for a Funeral Directors license and an Embalmer license, that is what the Board must do.

* What education requirements does VFDA want imposed on Funeral Director Only licensees?
* What internship requirements does VFDA want imposed on Embalmer Only licensees?
* Should continuing education requirements remain the same for each new licensee?
* What advantages does VFDA want a Funeral Director Only licensee to be able to have? For example:
	+ Sell pre-need with appropriate licensing?
	+ Fewer hours of internship?
* What advantages does VFDA want Funeral Service Licensees to retain exclusively? For example:
	+ The ability to be a Manager of Record for a funeral establishment?
	+ The ability to sell pre-need as a fully licensed Funeral Service Licensee?

This guide should serve as a prompt to answer these and many other questions and establish the VFDA message / case before the Virginia Board of Funeral Directors and Embalmers the coming weeks and months.