

STATE BOARD OF
Funeral Directors
NEWSLETTER

FALL 2006



COMMONWEALTH
OF PENNSYLVANIA

Edward G. Rendell
Governor

Pedro A. Cortés
Secretary of the Commonwealth

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*Acting Deputy Secretary
for Regulatory Programs and
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Bureau of Professional and
Occupational Affairs*

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Bureau of Professional and
Occupational Affairs*

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Governor's Newsletter

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from Governor Rendell on important
issues facing Pennsylvania.

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Board telephone: (717) 783-3397
E-mail: ST-Funeral@state.pa.us

Role of the Commissioner on the Board

by Basil Merenda, Acting Deputy Secretary for Regulatory Programs and Director, Bureau of Professional and Occupational Affairs

The Bureau of Professional and Occupational Affairs (BPOA) touches the lives of millions of Pennsylvanians each day. We protect the health, safety and welfare of the public from fraudulent and unethical practitioners by administering professional licensing to physicians and cosmetologists to accountants and funeral directors. In addition, the bureau provides administrative and legal support to 27 professional and occupational licensing boards and commissions.

As commissioner of the BPOA, I am responsible for administering the commonwealth's licensing boards, sitting as a voting member on disciplinary cases and policy matters for 25 of the 27 boards and signing all licenses issued by the BPOA.

My administrative duties include working with the deputy commissioner to make "the trains run on time." In BPOA's case, it means making sure license renewals, applications and inquiries are properly handled by our staff. It also involves making sure that where appropriate, reciprocal licenses requested from out-of-state individuals are properly reviewed. BPOA is also required to conduct reviews of education programs for some boards.

My duties as a voting member on 25 of the 27 licensing boards are the same duties and obligations that the professional and public members have as part of their service on our licensure boards. I act as a judge, along with the other board members, on disciplinary hearings. I participate with the other board members in the drafting and enactment of regulations, rules and other policy initiatives. In addition, I have the responsibility of coordinating policy matters of all 27 boards for Governor Edward G. Rendell.

I truly believe the most important thing I can do for you is to provide you with professional service — and that is my goal

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When Governor Rendell appointed and nominated me BPOA commissioner, he told me to make BPOA and the commonwealth's 27 licensing boards more accessible, responsive and accountable to the legislature, the licensees and the public we are sworn to protect. My pledge to you is that I, as commissioner, am working to carry out Governor Rendell's charge with intelligence, vigor and effectiveness. If I can be of any assistance, please do not hesitate to reach out and contact my office at any time.

Right-to-Know Act and Home Addresses

The Bureau of Professional and Occupational Affairs is sensitive to its licensees' concerns about personal privacy. However, the Pennsylvania Right-to-Know Act, 65 P.S. § 66.1, mandates release of information contained in a "public record" stored by that agency if a member of the public requests it.

The bureau will take all reasonable steps to safeguard personal information contained in your licensure records. We realize that many of you use your home address on the licensure records maintained by the bureau. However, given the uncertainty over what the Right-to-Know Act requires, neither the bureau nor the board that issues your license can guarantee the confidentiality of the address shown on your licensing record. Therefore, we recommend that if you have a personal security concern, you might want to consider what many of our licensees have already done: use a business address or box number as the official address on licensure records.

Also, with the License 2000 computer system, you may indicate to the board an address for release to the public that may be different from your home address.

To further protect your privacy and identity, the bureau will only accept a request to change a licensee's address if it is submitted in writing and includes the licensee's Social Security number, license number and the old and new addresses.

Continuing Education Has Arrived!

The board's regulations implementing the continuing education requirement became effective on Dec. 3, 2005. Beginning Feb. 2, 2006, each licensed funeral director must complete six hours of board-approved continuing education prior to renewing the license that will expire on Feb. 1, 2008. Those who become initially licensed between Feb. 2, 2006 and Feb. 1, 2008 will be exempt from this requirement for the biennial period ending on Feb. 1, 2008.

Only providers and courses that have been approved by the board will be accepted. Courses must be taken between Feb. 2, 2006 and Feb. 1, 2008. Listed after this article are the approved providers and courses as of April 1, 2006.

Some points to remember:

- 6 HOURS OF CONTINUING EDUCATION IS REQUIRED BY FEBRUARY 1, 2008.
- YOU ARE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENT FOR THE FIRST BIENNIUM YOU BECOME LICENSED.
- ONLY BOARD-APPROVED COURSES OFFERED BY BOARD-APPROVED PROVIDERS WILL BE ACCEPTED.

Since June 1, 2006, the board's Web site has listed approved providers and courses. This list is updated monthly. The Web site address is www.dos.state.pa.us/funeral. Click on **Continuing Education Information**.

Funeral Education Provider Course List *as of 04/26/2006*

000001

**DODGE INSTITUTE FOR ADVANCED MORTUARY STUDIES
165 CAMBRIDGEPARK DRIVE
P.O. BOX 400193
Cambridge, MA 02140**

<u>Course Title</u>	<u>Approved Hours</u>
EMBALMERS IN THE REAL WORLD - 360.....	6.00 hours
EMBALMER'S ROUNDTABLE - 240.....	4.00 hours
EMBALMER'S ROUNDTABLE - 60	1.00 hour

000002

**REGULATORY SUPPORT SERVICES, INC.
603 RED MAPLE DRIVE
P O BOX 83
Manakin Sabot, VA 23103**

<u>Course Title</u>	<u>Approved Hours</u>
ANNUAL OSHA TRAINING - "IS THERE A DOCTOR IN THE HOUSE".....	3.00 hours

Continued on page 8

Disciplinary Actions

The following is a chronological listing of formal disciplinary or corrective measures taken by the board from Jan. 2005 - Jan. 2006. Each entry includes the name of the respondent, the respondent's address with the board, as well as the licenses and registrations that were suspended or revoked; the sanction imposed; a brief description of the basis for the disciplinary or corrective measure; and the effective date.

Every effort has been made to ensure that the following information is correct. However, these actions and their effective dates should not be relied upon without verification from the Board office. Official confirmation of the current status of a license or registration can be obtained by writing to the State Board of Funeral Directors, P.O. Box 2649, Harrisburg, PA 17105-2649.

Stephen William Reed, license no. **MV-058999-L**, of Reedsville, Mifflin County, was suspended for one year and ordered to pay a civil penalty of \$500, based upon his conviction for a crime involving moral turpitude. The suspension was stayed in favor of probation. Reed last practiced in Centre County. (02-14-05)

Central Pennsylvania Cremation Society, Inc., unlicensed, of Harrisburg, Dauphin County, was ordered to pay a civil penalty of \$1,000 because Respondent engaged in the practice of funeral directing when it was not licensed to do so in the Commonwealth of Pennsylvania. (05-04-05)

Graham S. Hetrick, FD, license no. **FD-011370-L** of Harrisburg, Dauphin County, was ordered to pay a civil penalty of \$250 because Hetrick aided or assisted an unlicensed entity, The Central Pennsylvania Cremation

Society, Inc., in an act of practice for which a license is required. (05-04-05)

William H. Kantner, license no. **FD-0008933-L** of Franconia, Montgomery County, was ordered to voluntarily and permanently surrender his license, because Kantner failed to forthwith deposit money in an escrow account, or transfer the same in trust to a banking institution in the commonwealth. Respondent accepted disbursement of funds from a living person's pre-need account for purposes other than why the money was accepted. (09-07-05)

Thomas S. Kendus, license no. **FD-011729-L** of Trainer, Delaware County, was publicly reprimanded and ordered to pay a civil penalty of \$2,000 because Kendus allowed an unlicensed employee to enter into a contract with a living person to render services to such person when needed and aided and assisted an unlicensed person to engage in an act or practice for which a license is required. (09-07-05)

Pre-Need Family Services Eastern Region, Inc., unlicensed, of Lancaster, Lancaster County, was ordered to pay a civil penalty of \$1,000 for engaging in the unlicensed practice of funeral directing by offering cremation services directly to the public. This case has been appealed to Commonwealth Court. (09-09-05)

Michael Boyko, unlicensed, of Macungie, Lehigh County, was ordered to pay a civil penalty of \$250 for engaging in the practice of funeral directing in the Commonwealth of Pennsylvania when he was not licensed to do so. (12-13-05)

James M. Stigale, FD, license no. **FD-013215-L**, of Philadelphia, Philadelphia County, was ordered to pay a \$600 civil penalty for using misleading advertising. Stigale last practiced in Philadelphia. (12-13-05)

Will T. Leavell, Inc., license no. **FR-000570-L**, of Midland, Beaver County, and license no. **FB-000222-L**, of Beaver Falls, Beaver County, was indefinitely suspended for practicing on a lapsed license and for practicing without a licensed supervisor. (01-06-06)

Unethical or Unlicensed Activity

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs complaints hotline at:

In Pennsylvania:
1-800-822-2113

Out of State:
1-717-783-4854

A complaint form is available on the Department of State's Web site at
www.dos.state.pa.us

AARP Looks at the Funeral Industry

*by Tony Scarantino, Chair
PA State Board of Funeral Directors*

It is my privilege and pleasure to write this article as a public member of the State Board of Funeral Directors who has also been an active volunteer in Pennsylvania AARP since 1993. During that time, I served as chair of its state legislative committee and as state director of the AARP Grief and Loss Program. The purpose of this piece is to discuss AARP's view of the funeral industry, referred by some as the death care industry.

Before AARP's views and concerns are discussed, I want to express my personal thoughts as a public member and chair of the board. My tenure has been interesting and fulfilling. I have learned much from the experience and from my fellow board members. As one of two public members, I recognize the wisdom of the enabling legislation for the board to bring an objective consumer balance to the board's decisions.

The board should continue to meet in cities other than Harrisburg and to invite the public and those preparing for a career in the funeral industry to attend and learn more about the board's function. A public relations program should be implemented so that the funeral industry's challenges, which include the abuse of cremation and burial practices, the illicit sale of burial containers and utensils, the shady marketing of pre-need contracts, and other undesirable activities, are discussed in the media.

My service on the board has not changed my view of the role of the funeral director. He or she, together with the clergy, remains the focus for a grieving family and has the moral responsibility to help survivors plan for and cope with the death of a loved one. This responsibility is equally important during the pre-need and at-need phases for final disposition of human remains. I can say that the board is doing everything in its power to assure that this responsibility is upheld and not abused.

Having presented my personal thoughts, I now want to discuss AARP's thoughts on the funeral industry.

Formerly the American Association of Retired Persons, AARP has 35 million members nationally and about 1.9 million members in Pennsylvania. Each year, its volunteer board of directors updates and publishes its public policy book which addresses every aspect of life in America regardless of age, gender, ethnic or economic background.

The average cost of a traditional funeral exceeds \$6,000 and does not include cemetery charges. For older people, this is probably the largest expenditure, ranking behind the purchase of a house or a car. Accordingly, AARP is concerned that full value must be given for this expenditure.

AARP has identified the following concerns that call for diligent study and monitoring:

- The move from local funeral home ownership to commercial chains, which in some cases leaves consumers unaware that they are not dealing with a local enterprise which has been a part of their community for years.
- The effect on the consumer of the blending of the line between funeral and burial activities whereby crematories are becoming more active selling caskets, headstones and other burial services.
- The need to protect consumers who opt for prepaying for funerals and burials from unscrupulous and unregulated salesmen of pre-need burial contracts.

As the commonwealth's baby boomer population ages, the need for these concerns to be actively monitored becomes more urgent, as does the board's mission. AARP's role becomes all the more relevant as well.

REMINDER

All funeral individual and establishment licenses, including sole proprietors, expired on Feb. 1, 2006. If you have not received new licenses with the new expiration date of Feb. 1, 2007, contact the board office for assistance.

A Quest for — or a Question of — Compliance

by James O. Pinkerton, Professional Member

This article comes to you as a result of a series of “starts and fits.” When I first began to write it, I was intermittently watching the news coverage of the Tsunami disaster and the resultant response in Indonesia. That edition of the newsletter was subsequently delayed and I next began to prepare the article (again subject to delay) as I watched the coverage of the preparation for Hurricane Katrina. That soon resulted in a full scale disaster on our own soil, of which I soon became one of the Disaster Mortuary (D-Mort) responders. Now as I rewrite some of the sections to reflect new information, I am watching the news coverage of the Sago mine disaster in West Virginia, where twelve miners died.

It is somewhat apropos that each time I try to get this article written, there is some event in the news which both distracts me and reminds me that, historically, it is often these tragic events that drive laws and regulations intended to prevent similar situations in the future.

The headline for an article in the *Pittsburgh Post-Gazette* said, “Mines that are orderly tend to be the safest.” I suspect that there is a parallel there for funeral service and most other occupational pursuits as well. Even though there are some aggravation factors to many regarding the government-mandated standards with which we must comply, I believe that we can all attest to some obvious benefits as well. Clean air, clean water, safer vehicles, building codes and standards, medical safeguards, etc. all tend to make our lives safer and better. Ironically, even though we and our families benefit tremendously from these protections, much effort is expended in trying to avoid or minimize our own personal “inconvenience of compliance.”

If we look at the compliance obligations borne by those of us in funeral service, few of us could help but to admit that our burden is fairly small in comparison to many other businesses. I believe that any of us would be challenged to truly find a legitimate excuse for not having our firms in compliance with standards meant to protect our health and well being. Amazing as it may seem, the Formaldehyde Standard and Hazard Communication Standard has been in existence and an obligation for us since 1988, and the Blood Borne Pathogen Standard and infectious waste regulations since the early 1990's. The Federal Trade Commission (FTC) rule even predated those, going into effect on April 1, 1984, and yet there are still firms not in compliance.

In preparation for this article, I decided to sort of “pressure test” and review the safety and compliance issues at our firm. In addition to an internal review of all of the documents, programs, binders, signage and equipment of our operation we also called in the folks from Indiana University of Pennsylvania's Occupational Safety and Health Administration (OSHA) consultancy service to update our formaldehyde testing and to review our program.

As expected, the visit from LaMont Moore of IUP was painless and extremely professional. He reviewed our compliance documents, did an air quality monitoring by simulating an embalming and did a general compliance overview for us. He made some recommendations of changes, which under the consultancy agreement we were obligated to implement and provide documentation of. If you feel that there are still shortcomings to your OSHA compliance program, I would urge you to contact IUP's Consultancy program at 1-800-382-1241 and request a visit. All of their services are available at no charge to all funeral service providers (and all other Pennsylvania small businesses). In addition, the National Funeral Directors Association has an OSHA Support Line (800-633-2674) as well as a wealth of printed and multi-media material.

The other primary federal compliance obligation is for the FTC rule on funeral service. For review, the obligations under this rule include the General Price List, Casket Price List and Outer Burial Container Price List, all of which must be made available to consumers as well as some obligations for telephone disclosures. Another service available to funeral directors is an FTC compliance service through the National Funeral Directors Association. You may contact them at 1-800-228-6332.

The Pennsylvania requirements specific to funeral service come from a few more sources. In addition to the laws, rules and regulations of the Pennsylvania State Board of Funeral Directors, we also have oversight from and obligations to the Department of Environmental Resources in terms of their Medical Waste disposal requirements and the Right to Know requirements for storage of Hazardous Chemicals.

The following is a list of the primary areas of compliance that you may wish to review for your firm. Obviously, we have many other areas of the law with which we must comply but hopefully this is, at least, a beginning:

FEDERAL

OSHA FORMALDEHYDE STANDARD
 OSHA HAZARD COMMUNICATIONS PROGRAM
 (Including MSDS FORMS)
 OSHA BLOOD BORNE PATHOGEN STANDARD
 OSHA GENERAL DUTY COMPLIANCE (Including
 annual fire extinguisher training and written program
 for vehicle operations)
 FEDERAL TRADE COMMISSION
 RULE ON FUNERAL SERVICE
 U. S. DEPARTMENT OF LABOR
 WAGE AND HOUR COMPLIANCE
 WORKPLACE SIGNAGE OBLIGATIONS

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Compliance

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STATE OF PENNSYLVANIA
INFECTIOUS AND CHEMOTHERAPUTIC WASTE
ACT
STATE BOARD OF FUNERAL DIRECTORS LAWS,
RULES AND REGULATIONS

With regard to the issues of compliance relative to the Funeral Director Law and the rules and regulations of that law, I know, as do the other members of the board and staff, that there are some areas which might be ambiguous or confusing. We have been working on revisions and updates to various elements of the rules and regulations for many months, now years. Just as you each have your sources of frustrations in regard to compliance (as do we as practitioners), the board and the other 26 professional regulatory boards in the state must also deal with our own issues of compliance in the regulatory process.

The protocols and procedures for effecting change in the rules and regulations are like a gauntlet through which they must pass. Initial publication, public review and comment, publications of revisions, review by the Independent Regulatory Review Commission, review by the appropriate committees of both the House and Senate, review by the Office of General Counsel, and review by the Office of the Attorney General are just some of the steps to be completed before a new or revised rule can be put in place. It is a slow and arduous, but ongoing, process as we try to update and revise the rules to more accurately reflect the contemporary state of the profession. We would encourage each of you to get involved in the process by monitoring the proposed changes and commenting on them.

Anyone who reads the newspapers or watches the myriad TV coverage of national politics knows that our nation is very polarized at the current time in "right and left" issues. Not unaffected by these opposing views are the areas of business regulatory requirements ranging from safety and environmental issues to financial concerns. It is not surprising, then, that in Pennsylvania generally, and the funeral service regulatory arena specifically, that we would have similarly diverse views on what should and shouldn't be regulated and to what degree. Contrary opinions of that nature drive most of the board hearings and court cases that the board becomes involved in. It's all part of the process of attempting to find the perfect balance.

For all of us, our common goal is to improve and enhance the success and rewards of our profession. As we pursue those goals we must still dedicate an appropriate measure of our time and effort to make sure our pursuit of success doesn't eclipse our need to do so within the confines of the laws and rules of the various government bodies in which we operate. We all have shortcomings and a need for continuous improvement. The real question is, to paraphrase the title of this article, "Do I have a quest for compliance, or is my compliance subject to question?"

License Counts

Funeral Director	3,536
Funeral Intern	91
Funeral Trainee	466
Funeral Director, limited	133
Funeral Supervisor	1,186
Temporary Supervisor	1
Sole Proprietorship	463
Branch	262
Partnership	26
Restricted Business Corporation	727
Professional Corporation	95
Pre-1935 Corporation	52
Widow	35
Estate	2
Continuing Education Provider	16

Reminder **Renew Your License Online!**

Go to the department's Web site at
www.dos.state.pa.us
 Click on LicensePA
www.myLicense.state.pa.us
 Then simply follow the instructions
 to renew your license online.

You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

First-time users will need the following information at hand:

- Pennsylvania License Number
- Registration Code
- Current mailing address
- Credit Card information
- E-mail address

Continuing Education

Continued from page 3

000003

**EXCELA HEALTH HOME CARE AND HOSPICE
508 SOUTH CHURCH STREET
Mount Pleasant, PA 15666**

<u>Course Title</u>	<u>Approved Hours</u>
THE POWER OF PRESENCE - SHARE MY LONESOME VALLEY.....	5.00 hours

000004

**PITTSBURGH INSTITUTE OF MORTUARY SCIENCE
5808 BAUM BOULEVARD
Pittsburgh, PA 15206**

<u>Course Title</u>	<u>Approved Hours</u>
PIMS BEST PRACTICES 101.....	5.00 hours

000005

**ALLEGHENY COUNTY FUNERAL DIRECTORS ASSOCIATION
CASTLE MAIN SUITE 202
Wilmerding, PA 15148-1260**

<u>Course Title</u>	<u>Approved Hours</u>
CLINICAL ISSUES AFFECTING THE FUNERAL DIRECTOR.....	2.0 hours

000006

**PENNSYLVANIA FUNERAL DIRECTORS ASSOCIATION
7441 ALLENTOWN BOULEVARD
Harrisburg, PA 17112**

<u>Course Title</u>	<u>Approved Hours</u>
ADAPTING TO SOCIOLOGICAL & RELIGIOUS CHANGES WITHIN THE FUNERAL PROFESSION.....	2.00 hours
COMPLYING WITH THE FUNERAL RULE.....	.50 hours
GRIEVING THE DEATH OF A SIBLING.....	1.00 hours
INFECTIOUS DESEASE IN THE 21ST CENTURY: A MODERN APPROACH TO RISK MANAGEMENT.....	1.00 hours
LEGAL ISSUES INVOLVED IN THE RIGHT OF DISPOSITION.....	1.00 hours
ORGAN & TISSUE DONATION & THE FUNERAL DIRECTOR.....	1.00 hours
OSHA COMPLIANCE AND THE FUNERAL DIRECTOR.....	1.00 hours

Continuing Education

<u>Course Title</u>	<u>Approved Hours</u>
PRENEED FUNERAL CONTRACTS: COMPLIANCE & CHALLENGES.....	1.00 hours
PREVENTING A NOBLE, GEORGIA: DUE DILIGENCE FOR FUNERAL HOMES UTILIZING THIRD PARTY CREMATORIES.....	1.00 hours
RELATIONSHIP BETWEEN SLEEP HYGIENE AND THE DISCHARGE OF PROFESSIONAL DUTIES OF FUNERAL DIRECTORS.....	1.50 hours
SEXUAL HARASSMENT LAW: DOES YOUR FUNERAL HOME HAVE A SEXUAL HARASSMENT POLICY?.....	1.00 hours
WHAT BEREAVED CHILDREN WANT ADULTS TO KNOW ABOUT THEIR GRIEF.....	1.00 hours

000007
NORTHAMPTON COMMUNITY COLLEGE
3835 GREEN POND ROAD
Bethlehem, PA 18020

<u>Course Title</u>	<u>Approved Hours</u>
THE "F" WORDS OF FUNERAL SERVICE.....	2.00 hours

000008
JEWISH FUNERAL DIRECTORS OF AMERICA
150 LYNNWAY SUITE 506
SEAPORT LANDING
Lynn, MA 01902

<u>Course Title</u>	<u>Approved Hours</u>
AFTER CARE: HELPING YOUR GRIEVING FAMILIES ALSO HELPS YOU/HOW TO SUPPORT GRIEVING EMPLOYEES.....	2.00 hours
HALACHA - V - MINHAG: WHERE DO WE DRAW THE LINE.....	1.50 hours
NEW AND UNIQUE CHALLENGES THAT FACE JEWISH FUNERAL DIRECTORS.....	1.00 hours

000009
STERICYCLE INC
2333 WAUKEGAN ROAD
SUITE 200
Bannockburn, IL 60015

<u>Course Title</u>	<u>Approved Hours</u>
FUNERAL INDUSTRY OSHA BLOODBORNE PATHOGEN TRAINING PROGRAM.....	2.00 hours

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Continuing Education

Continued from previous page

000010

NATIONAL FUNERAL DIRECTORS & MORTICIANS ASSOCIATION
3951 SNAPFINGER PKWY
SUITE 570
Decatur, GA 30035

<u>Course Title</u>	<u>Approved Hours</u>
CREMATION AND THE FUNERAL DIRECTOR.....	2.00 hours
EMBALMING TECHNIQUE FOR TODAY'S PRACTITIONER.....	2.00 hours
IDENTIFICATION, INSPECTION & DOCUMENTATION.....	2.00 hours
PRESIDENTIAL ROUNDTABLE.....	2.00 hours

000011

IN-SIGHT INSTITUTE
P O BOX 42467
Oklahoma City OK 73123

<u>Course Title</u>	<u>Approved Hours</u>
FUNERAL CELEBRANTS.....	17.00 hours

000012

NATIONAL FUNERAL DIRECTORS ASSOCIATION
13625 BISHOP'S DRIVE
Brookfield, WI 53005

<u>Course Title</u>	<u>Approved Hours</u>
EMBALMING, RECONSTRUCTIVE SURGERY AND AIRBRUSHING TECHNIQUES.....	9.25 hours

000013

NATIONAL FUNERAL DIRECTORS AND MORTICIANS ASSOCIATION INC
3951 SNAPFINGER PARKWAY
SUITE 570
Decatur, GA 30035

<u>Course Title</u>	<u>Approved Hours</u>
GRIEF COUNSELING FOR THE FUNERAL SERVICE PROVIDER.....	1.00 hours
HOSPICE - A BETTER UNDERSTANDING FOR THE FUNERAL SERVICE PROVIDER.....	1.00 hours

Filing Preneed Reports

Section 13(c) of the Funeral Director Law (63 P.S. § 479.13(c)) requires a funeral director who receives monies for funeral services for a person then living to deposit in escrow or transfer in trust those moneys to a banking institution in this commonwealth. Under the board's regulations, a funeral director must report to the board each prepaid contract within 90 days of executing the contract. (49 Pa. Code § 13.224(b)). The funeral director must again report within 30 days of fulfilling the contract. (49 Pa. Code § 13.224(d)). Because the board does not want fear of prosecution for minimally late reporting of preneed contracts to deter funeral directors from reporting at all, the board has set forth a policy for late reporting of preneed contracts.

Unless a report of the execution of a preneed contract was filed more than 180 days after execution of the contract (or receipt of funds, whichever is later), a funeral director who does not have a history of late reporting will receive only a warning letter, and not be subject to formal disciplinary action for late filing of a preneed contract report. Unless a report of the fulfillment of a preneed contract was filed more than 120 days after the date of the funeral service, a funeral director who does not have history of later reporting will receive only a warning letter, and not be subject to formal disciplinary action, for late filing a preneed contract fulfillment report. The prosecution division has discretion to close any matter without taking action or to issue a warning letter without formal action in any matter.

APPLYING FOR A WIDOW OR ESTATE LICENSE

A widow, widower or estate license is available to the spouse or estate of a deceased licensed funeral director who operated a funeral establishment as a sole proprietor or in a partnership at the time of his/her death. In order to apply for a widow, widower or estate license, you must comply with Section 8 of the Funeral Director Law and §13.152 of the regulations. This regulation states that you must inform the Board of the intent to continue practice within 10 days of the deceased licensee's death and that you must make application for the license within 30 days of the deceased licensee's death. **Please contact the board office immediately after the death of a licensed funeral director if the widow, widower or estate wishes to apply to continue practice.**

Remaining 2006 Meeting Dates

October 4
November 1
December 6

Board Members and Staff

Anthony Scarantino, Chairperson
Allentown, Lehigh County

Michael D. Morrison, F.D., Vice Chairperson
Oil City, Venango County

Joseph A. Fleuhr, III, F.D., Secretary
Richboro, Bucks County

Bennett Goldstein, F.D.
Elkins Park, Montgomery County

Donald J. Murphy
Camp Hill, Cumberland County

James O. Pinkerton, F.D.
Pittsburgh, Allegheny County

Michael J. Yeosock, F.D.
Plains, Luzerne County

Jodi L. Zucco, Deputy Attorney General
Harrisburg, Dauphin County

Basil L. Merenda
Acting Deputy Secretary for Regulatory Affairs
and Director, Bureau of Professional
and Occupational Affairs

Frank J. Bollock, Jr., Esquire
Rosenn, Jenkins & Greenwald, LLP
Board Counsel

Michelle T. Smey
Board Administrator