

# THE

# I N D E P E N D E N T



Dear Associates,

I hope your transition from summer to fall has been a good one. In the Tidewater area we are still waiting for the vivid changing of the leaves and for the temperature to stay below 50 degrees.

It is the season of the year when I spend time in the woods. Sitting in the woods gives me an opportunity to clear my mind and get away from the daily grind. It allows me to take a few moments and reflect on how blessed I am. To be thankful for those who support me the most; my wife, boys, their wives and of course my grandchildren. I am blessed to be in business with my two brothers and to have a staff that is truly concerned about the families that we serve.

Sometimes as I reflect on additional relationships, I realize that there are some I take for granted. I know that regardless of what I do or do not do, they will be there, concerned about me and my business. One of those is IFHV. Now, like many other organizations they are facing a financial shortage. IFHV, like the rest of us have been affected over the last two years with the pandemic.

The life blood of any organization is its members. Due to reasons beyond our control, we have lost members. When members leave so does their financial support. The problem is that IFHV still has financial responsibilities. At IFHV we cherish your continued support and hope that you will encourage those independent firms around you to become members.

To help meet our financial obligations we have started a "Capital Campaign". We are asking that in addition to your dues that you make an investment in IFHV of \$300.00. Your dues and contribution would be due by the end of February, 2022. Will you make this investment in our future?

I've asked a few of our members to briefly state why they continue to support and serve IFHV. I hope their words will be an encouragement to you and that you will agree to make the additional contribution.

I hope you have a memorable Thanksgiving with those you cherish most.

J David Cecil Jr, IFHV President

***The Association of  
Independent Funeral Homes  
of Virginia***

**Officers:** David Cecil, President  
Johnny Muncey, Vice President  
Eric Bliley, Sec/Treasurer  
Sammy Oakey, Past Pres.

**Directors:**  
Robert Givens      Mary Morehead  
Glenn Wood      Paul Welch  
DD Watson

**Executive Director**  
B. Bennett Keeney Jr. "Bo"

# CAPITAL CAMPAIGN

The Association of Independent Funeral Homes of Virginia is asking each firm member to consider sending a minimum contribution of at least \$300 to IFHV towards the 2022 Capital Campaign. This campaign is aimed to replenish the IFHV reserves after dealing with the effects of the pandemic. These one-time contributions to the capital campaign will help ensure that IFHV is around for many more years to protect and advocate for the interest of Virginia's Independent Funeral Homes.



**Sammy Oakey (Oakey's Funeral Service)** - When I first heard of IFHV, my immediate thought was "we already belong to ENOUGH organizations, I'm not joining another". But after some colleagues that I respect spoke highly of Independent, I decided to see what all of the hoopla was about. To say that I value my membership in IFHV would be an understatement. This group has helped me to obtain my CEUs, navigate the complex maze of COVID-19 regulations/rules, and give input for items that need to be lobbied for and against. The annual meetings are a great way to fellowship with other funeral professionals, as well as see and hear outstanding speakers whom I would otherwise only read about. In a world where apathy and conflict are our two biggest enemies, Independent Funeral Homes of Virginia is an organization that works to eliminate BOTH, as well as strengthen and better our profession.

**Johnny Muncey (Horne Funeral)** -Due to unforeseen circumstances, I was thrust into a managerial position before I was properly groomed. As a young manager, I learned from many of my more experienced colleagues from discussions and classes with them at IFHV meetings. I still have a ring of these people I brainstorm with to help with problems and ideas. I look forward in the future to sharing those ideas with the next generation to follow me.

**Eric Bliley (Bliley's Funeral Service)** - IFHV originated from independent funeral home owners, like yourselves, needing a voice in legislation. A voice that speaks for independents and not the conglomerates. I strongly believe the future of our profession is in legislation. We have seen how legislation has changed our profession in Virginia for the good and for the bad. It is important now than ever, that we unite as an organization to protect our voice and those of independents that have not join us yet.

## CAPITAL CAMPAIGN CONTRIBUTION

Funeral Home Name: \_\_\_\_\_

Owner/Manager of Record: \_\_\_\_\_

Email: \_\_\_\_\_

Yes I would like to make a contribution in the amount of \$\_\_\_\_\_ to support IFHV's Capital Campaign.

**Mail Checks to IFHV at PO Box 29069, Henrico VA 23242 or contribute online at [www.IFHV.org](http://www.IFHV.org)**



We thank you for being members of IFHV. It is through your membership that we can help advance and protect the interest of Virginia's Independent Funeral Directors. One of the greatest member benefits of IFHV remains its ability to advocate on your behalf before the Virginia General Assembly. Like it or not, your profession is legislated by the members of the Virginia House of Delegates and Virginia Senate. Anything and everything you can (or can't) do as a funeral director is dictated through the legislative process. IFHV remains as the premier organization representing and advocating on behalf of Virginia's Independent Funeral Homes. With that in mind IFHV will be introducing legislation during the 2022 legislative session aimed at making it easier to be a Virginia Funeral Director.

For years your continuing education renewal has required that you obtain at least one hour per year covering compliance with federal or state laws and regulations governing the profession **AND** at least one hour per year covering preneed funeral arrangements. The fact of the matter is requirement is rather burdensome, especially with only a 5 hour per year requirement. The fact that 2 of the 5 hours per year is dictated leaves little ability for licensees to further their education on new and innovative educational topics. As such IFHV will be introducing legislation to lessen this burden by amending the code to require one hour per year of laws/regulations OR one hour per year of preneed. This is a simple change but it should have a profound effect on your ability to broaden your knowledge base with new and innovative programming. The IFHV initiative is supported by both the VFDA and VMA as well.

As other pieces of legislation come forth during the 2022 session we will certainly alert you to those items so that IFHV membership may engage in any necessary advocacy efforts as may be required. For more information or to get involved with the IFHV legislative committee please contact IFHV at

[IFHVOffice@gmail.com](mailto:IFHVOffice@gmail.com)

~Bo Keeney  
IFHV Executive Director

## Governor Northam Announces Administration Appointments

**RICHMOND**—Governor Ralph Northam announced additional appointments to his Administration today.

### Board of Funeral Directors and Embalmers

- **Lacyn Barton** of Sandston, Funeral Service Licensee, Woody Funeral Home and Cremation Service
- **Muhammad Hanif\*** of Midlothian, Member of the Board of Trustees, Islamic Center of Virginia

# The labor market and your funeral home

[The labor market and your funeral home | Funeral Director Daily](#)

Wednesday October 27, 2021

Over the weekend I read some articles pertaining to the secular world of business that I have tried to boil down to how they will affect the death care profession/industry. One article from Yahoo Money is entitled "*Making sense of the Twisted Sister labor market*".

That article points to what it calls the "Great Resignation" and how leaving the labor force for many is both stressing out workers left behind and giving those workers some great opportunities at the same time. Here are a couple of quotes from that article:

- ". . unfilled jobs are near a record high, unemployment claims hit yet another pandemic-era low — but workers appear to be in a particular foul mood."
- ". . strikes and support for organized labor are on the rise."
- ". . workers are not only quitting at historically high rates, they're being increasingly choosy about picking their next jobs."
- "Demand is strong, and prices are rising everywhere, but so are wages, as desperate employers trip over themselves to hike pay in a bid to retain and attract talent."
- "Companies are paying more, which has the ancillary effect of boosting demand and price pressures."

The article also touches on three reasons for the "long-term" inflationary pressures:

1. Less support for "globalization" (Globalization of the work force has the effect of keeping wages down)
2. The shift away from fossil fuels (fossil fuels available in great quantity keep costs down for producers)
3. Declines in the working-age population (coupled with more Senior-age workers choosing not to work) causes labor shortages.

So, how do I think these items will affect the funeral service workforce? I think that there are, potentially, very interesting ramifications. My experience, says that more so than many other occupations, funeral service is not about the money. Working conditions, call schedules, the opportunity to have some authority, and the opportunity for gratification of helping fellow human beings are all elements that enter into why an employee will work where they do.

If you operate a funeral home with multiple employees you need to take stock of how those items are facilitated in your business. And, it also goes without saying that you have to look at where you stand as far as financial compensation as well. . . .because as wages in other occupations rise, it just won't be the other funeral home that you may be in for competition for employees. Semi-truck drivers coming out of our local technical college are now receiving starting pay of around \$65,000.

Now let's assume that you are having to raise wages and benefits to make sure you have the qualified employees you need to carry on your business. What will that do to your bottom line? With everything else being equal, it will cut into your margins making your final profits less.

Or, you could raise prices to retain that margin. But if you do that, what might happen to your mix of business? Will some consumer clients then opt for lesser services instead of paying the increased price of the service they would have chosen otherwise? That might cause profits to go south in a hurry.





Tom Anderson  
Funeral Director Daily

What might I do if I was managing a funeral home in this situation? Raising wages is one idea, but doing that might lead to lower margins or higher service prices, or maybe a big change in case mix. My guess is that I would try to incentivize my employees in another way. Here are a couple of ways that I might try without permanently putting salary increases on the board until we see how the labor issues all shake out.

1. Some type of non-discriminatory profit sharing plan. There are ways in a 401k type arrangement that may be able to include owners as well as full-time employees. It may work out that what one might pay in taxes on a direct payment to an owner could go to employees instead in the right type of plan. The negative impact on this to an owner is that the money cannot be withdrawn until age 59 1/2, but it may be a way in which your employees can benefit financially without raising regular pay.

2. Some type of bonus for extra calls over a average number. Let's say that you average 100 calls per year, maybe you give each employee an extra \$2000 if you reach 110 calls, another extra \$2000 if you reach 120 calls and so on. This type of arrangement compensates employees for extra work and you don't have to pay it unless you are busy and have the cash available. It might stop you from having to hire that extra staff member.

I always had a "Bonus Call" plan when I was managing my funeral home. And, I was never sorry in paying out the bonuses. Let's say, as above, your first bonus of \$2000 per full time employee is when you hit 10 calls above average. Let's also say that you have four full-time employees. That's an \$8,000 cost. . .but ten extra calls, with fixed costs remaining static, at a \$3500 average margin is \$35,000. . . so you still, as an owner are ahead \$27,000 . . . and you have happier — and probably longer tenured employees — over the long run.

Those are just a couple of my thought processes that might help on the financial end of employee retention. There are certainly many more and whatever you can do with flexible work schedules would also be welcome and potentially help with employee retention.



*Warfield-Rohr  
Casket Co., Inc.*

### IFHV MEMBER BENEFIT WITH WARFIELD-ROHR

To show support of Virginia's independent firms and particularly IFHV members, Warfield-Rohr Casket Company just announced a special casket program just for IFHV firms. The program was reviewed and unanimously endorsed by the IFHV Board of Directors.

The Warfield-Rohr Benefit Program for IFHV Members offers member firms a quantity driven discount plan of up to a combined Terms Discount/Rebate of up to 20%. The rebate program began on August 1 and ends July 31 of each year. The rebate program quarters will end on November 30, February 28, May 31 and August 31 of each year.

Quantity of Caskets Purchased	Terms Discount	IFHV Member Rebate	Total Percentage Rebate	Contribution to IFHV per Casket
1 – 25	5%	6%	11%	\$2.00
26 -39	5%	9%	14%	\$2.00
40 – 59	5%	10%	15%	\$2.00
60 – 99	5%	13%	18%	\$2.00
100+	5%	15%	20%	\$2.00

To further show support for IFHV and its members, Warfield-Rohr will additionally contribute \$2 for every casket sold by them to an IFHV member. This program is an example of the benefits of IFHV membership and how IFHV works for the mutual benefit of its firm and associate members. Any questions may be addressed by your Warfield-Rohr sales representatives.

# CONTINUING EDUCATION



## IFHV ONE DAY CE CONFERENCE

FRIDAY MARCH 18

RICHMOND, VA

5 HOURS CE (Including Laws/Regulations & Preneed)

\$100 Per Person (Member Price)

\$200 Per Person (Non-Member Price)



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## Board of Funeral Directors and Embalmers Changes to Confidential Consent Agreements

Virginia Code § 54.1-2400(14) authorizes the health regulatory boards to resolve certain allegations of practitioner misconduct by means of a Confidential Consent Agreement (“CCA”). This agreement may be used by a board in lieu of public discipline, but only in cases involving minor misconduct and non-practice related infractions, where there is little or no injury to a patient or the public, and little likelihood of repetition by the practitioner.

A CCA shall not be used if the board determines there is probable cause to believe the practitioner has (i) demonstrated gross negligence or intentional misconduct in the care of patients, or (ii) conducted his/her practice in such a manner as to be a danger to the health and welfare of patients or the public.

A CCA shall be considered neither a notice nor an order of a health regulatory board, both of which are public documents. The acceptance and content of a CCA shall not be disclosed by either the board or the practitioner who is the subject of the agreement.

A CCA may be offered and accepted any time prior to the issuance of a notice of informal conference by the board. By law, the agreement document must include findings of fact and may include an admission or a finding of a violation. The entry of a CCA in the past may be considered by board in future disciplinary proceedings. A practitioner may only enter into only two confidential consent agreements involving a standard of care violation within a 10-year period. The practitioner shall receive public discipline for any subsequent violation within the 10-year period, unless the board finds there are sufficient facts and circumstances to rebut the presumption that such further disciplinary action should be made public

**Violations of regulation or statute that may qualify for resolution by a Confidential Consent Agreement include, but are not limited to:**

- Failure to notify the Board of change of manager within 14 days of change (18VAC65-20-60).
- Failure to obtain required continuing education credit hours within the renewal period without a Board-approved exemption or extension, except in instances where a licensee is found to have untruthfully reported compliance.
- ~~Failure to properly maintain preneed documents.~~
- Failure to provide Q&A disclosures to buyer as part of preneed contract.
- Failure of intern to notify Board of change of supervisor and/or training site.
- Failure to post licenses as required by 18VAC65-20-50.
- Inadvertent breach of confidentiality



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## The Virginia Board of Funeral Directors and Embalmers Adopts Guidance Document 65-20, Department of Treasury Unclaimed Property Audit and Preneed Contracts

### **Virginia Board of Funeral Directors and Embalmers Participation in Virginia Department of Treasury Unclaimed Property Audit**

The Division of Unclaimed Property (“DUP”) of the Virginia Department of the Treasury (“Treasury”) is responsible for the administration of the Uniform Disposition of Unclaimed Property Act, Va. Code § 55.1-2500 et seq. (“Unclaimed Property Act”). The Unclaimed Property Act requires that efforts be undertaken by business and other entities to locate lost owners of financial assets. If the owners cannot be located, the assets must be transferred to the custody of the DUP, from which those assets can be reclaimed by the owner at any time.

The DUP has determined that there are likely material amounts of unclaimed property associated with unfulfilled preneed contracts, where the beneficiary has been deceased for an extended period of time, but no goods or services have been requested or provided. The DUP is proactively seeking to identify unclaimed preneed assets, work with businesses to return the assets to the rightful owners, and, where assets remain unclaimed, assume custody and conduct ongoing searches for individuals entitled to those lost assets.

In the event DUP determines that a licensee holds such an unfulfilled preneed contract, and requests that the licensee transfer those contract proceeds to the DUP as part of Treasury’s initiative as described here, such a transfer will not be viewed by the Board as a violation of Virginia Code §§ 54.1-2806(B)(2), 54.1-2806(B)(3), or any of the provisions contained in 18VAC65-30.

Any actions taken prior to and independent of working with DUP to identify unfulfilled preneed contracts and transfer funds, however, will remain subject to board review and possible disciplinary action for any potential violations of law brought to the Board’s attention through the complaint process.