

# THE

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

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

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B. Bennett Keeney Jr. "Bo"

July 15, 2019

Dear Fellow IFHVer-

Greetings to each of you! I hope that your year is going well so far and that your work schedule allows for a vacation or two this summer. I blew mine a few weeks ago by travelling to see two Paul McCartney concerts (Greenville, SC and Raleigh, NC) within a few days. Truly a "Magical Mystery Tour" for my friends and family!

I've been in Independent Funeral Homes of Virginia for about 15 years now, and am more convinced than ever that our association is truly the most important group that we can belong to. Bruce, Bo, and your Board are committed to monitoring legislation, educating members, fostering fellowship among funeral professionals, and solving problems. Your involvement in IFHV is crucial to our many successes, and your willingness to invite new independent firms to join is the lifeblood of our organization.

Please make plans now to attend our fall meeting on November 9/10 at Wintergreen Resort. We have listened as our members have requested conferences that are short in duration and affordable in price. The upcoming one has both qualities! With cremation expert Mike Nicodemus already confirmed as a speaker, you can't afford to miss this opportunity to learn more about this topic. Oakey's contracted with Mike several months ago to come to our firm and do a presentation about how to reduce the legal risks associated with cremation. He smacked the ball right out of the park and made an incredible impression on every one of our licensees. If you don't agree after hearing him, I will personally refund your firm's conference registration fee. This is a pretty safe bet, since every IFHV firm receives one FREE registration fee! Seriously, you cannot afford to miss the fall meetings. Other speakers will address military honors, new state funeral laws, today's pre-need, and maximizing profits in our funeral homes. With a five month advance notice, we all have no excuse to miss this learning opportunity.

Since I've gone on too long about the November meetings, I'm pretty much out of room to chat about IFHV's involvement at a recent Shenandoah Valley FDA meeting, our need for one more member on our board of directors, and the July 1<sup>st</sup> introduction in Virginia of a law allowing at-need third party casket sales (there, Bo, I did get it all in!).

Don't just "Let It Be", take "The Long and Winding Road" to Wintergreen this autumn and participate with your peers to better ourselves and our profession! And, as always, feel free to contact me if you should have any questions, comments, or suggestions concerning our organization.

Cheers-

*Sammy*

Sammy Oakey  
IFHV President



### **Virginia Board of Funeral Directors and Embalmers Aiding and Abetting Unlicensed Practice**

Virginia Code § 54.1-2806(10) prohibits licensees of the Board of Funeral Directors and Embalmers ("Board") from "aiding or abetting an unlicensed person to practice within the funeral service profession[.]" All licensees of the Board are responsible for adhering to the laws and regulations governing the funeral service profession in Virginia.

If a licensee of the Board contracts to provide funeral services of any kind with another funeral director, funeral home, or entity providing funeral services, where the other contracting party is not licensed to practice within the funeral service profession, the licensee of the Board is in violation of Virginia Code § 54.1-2806(10) and may face disciplinary action. Specifically, the contracting party must be licensed in the state in which arrangements are or will be made.

Before entering into a business arrangement with another funeral director, funeral home, or entity providing funeral services, the Board recommends that Virginia licensed funeral service professionals verify the licensure status of the other party in the state in which arrangements are or will be made. Virginia licenses can be verified through the Department of Health Professions' license look-up feature, available at [www.dhp.virginia.gov](http://www.dhp.virginia.gov). Many other states have online license verification for funeral service professionals as well. As an alternative, a licensee may request that a potential contracting party provide the licensee with a copy of the contracting party's valid license.

The burden of ensuring that a licensee is compliant with the laws and regulations governing the practice of funeral services in Virginia rests solely with the licensee. Therefore, the Board recommends that licensees verify the licensure status of all parties with which they contract to provide funeral services.

### **Virginia Board of Funeral Directors and Embalmers Guidance on Surface Transportation & Removal Services**

Virginia Code § 54.1-2819 requires the registration of persons or private businesses that engage in the business of surface transportation or removal of dead human bodies in the Commonwealth. This section further provides that:

*Surface transportation and removal services shall not arrange or conduct funerals, provide for the care or preparation, including embalming, of dead human bodies, or sell or provide funeral-related goods and services without the issuance of a funeral service establishment license.*

Where a registered surface transport and removal service that is not otherwise licensed as a funeral service establishment contracts to provide transportation and removal services with a local governmental entity, the surface transport and removal service may take the dead human body to a location or facility designated by the governmental entity, by a court order, or by the decedent's next of kin or designated representative, but not to a location or facility chosen by the surface transport and removal service. Further, the surface transport and removal service may not store dead human bodies or arrange for storage of dead human bodies at locations or facilities not otherwise designated by the governmental entity, court order, decedent's next of kin, or designated representative.

Virginia Code § 54.1-2819 also provides that:

*No licensed funeral service establishment shall be required to receive such registration in addition to its funeral service establishment license. However, such establishment shall be subject to the regulations pertaining to transportation and removal services.... [N]o person or private business shall engage in the business as a surface transportation and removal service without holding a valid registration.*

Where an individual or private business independently contracts with a funeral establishment to provide surface transportation and removal services, the individual or business is required to be registered with the Board as a surface transportation and removal service.

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**HB 1828 - Orrock - Sale of caskets; preneed arrangements**

**for funeral services.** Provides that no person other than a licensed funeral establishment or funeral service licensee shall offer for sale or sell a casket unless such offer or sale is made at-need. A funeral service licensee must accept a casket provided by a third party applies **only** in cases in which funeral arrangements are made at-need. When funeral arrangements are made preneed, a funeral service licensee is not required to accept caskets provided by third parties.



**HB 2057 - Carr - Chief Medical Examiner, Office of the; central office and facilities.** Removes the requirement that the central office and facilities of the Office of the Chief Medical Examiner be located in the City of Richmond.

**HB 2445 - Wilt - Death certificate; medical certification, electronic filing w/State Registrar of Vital Records, etc.** Requires the completed medical certification portion of a death certificate to be filed electronically with the State Registrar of Vital Records through the Electronic Death Registration System and provides that failure to file a medical certification of death electronically through the Electronic Death Registration System shall constitute grounds for disciplinary action by the Board of Medicine. The bill includes a delayed effective date of January 1, 2020, and a phased-in requirement for registration with the Electronic Death Registration System and electronic filing of medical certifications of death for various categories of health care providers. The bill directs the Department of Health to work with stakeholders to educate and encourage physicians, physician assistants, and nurse practitioners to timely register with and utilize the Electronic Death Registration System.

**SB 1300 - Edwards - Funeral establishments; full time manager requirement, exception, number of calls**

Provides that the Board of Funeral Services may grant a hardship waiver from the requirement that each licensed funeral services establishment have a person licensed for the practice of funeral services or a licensed funeral director in charge, full time, allowing for the operation of two establishments by a single full-time funeral services licensee or funeral services director if the combined average number of funeral calls at the two establishments over the previous three years is no more than 135 calls per year and the distance between the two establishments is 50 miles or less. Currently, the Board may grant the exception if the combined average number of annual calls at the two establishments is no more than 85 per year.



*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 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



**Every year,  
we fund over  
50,000 funerals,  
serve over  
2,800 funeral homes,  
and pay out over  
\$350 million for  
funerals.**

**We must be doing it right.**

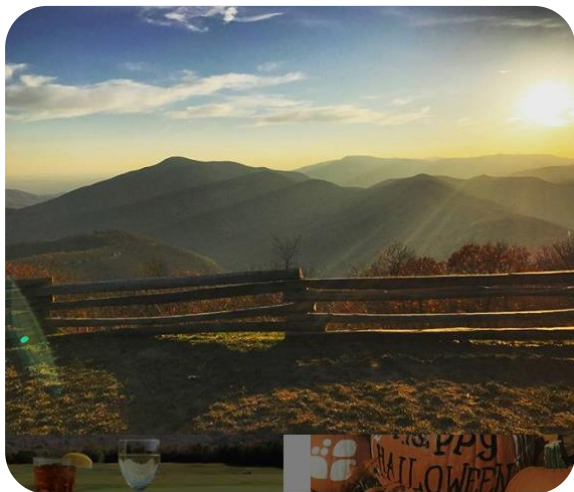
Admittedly, the stats are pretty impressive. No other insurance assignment company can boast the number of funeral homes served or the amount of money paid out yearly to make sure every funeral goes off without a hitch. But what's truly impressive is the way in which we work with our clients, as if each one is our only one. And serving them quickly and painlessly is our only job, which, in fact, is so. While bigger isn't always better, sometimes it is. As in the case of the company you want servicing your insurance assignments.



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# IFHV Fall Conference

**Wintergreen Resort**  
**November 9-10, 2019**

## Tentative Schedule of Events:

### **SATURDAY, NOVEMBER 9, 2019**

2:00 pm – 4:30 pm	Board of Directors Meeting
3:00 pm – 6:00 pm	Registration
4:45 pm – 6:45 pm	If It isn't in writing, it didn't happen. The importance of having proper paperwork! (2 Hours)
6:45 pm – 8:45 pm	Dinner on your own
8:45 pm – 10:00 pm	IFHV Hospitality Suite

### **SUNDAY, NOVEMBER 10, 2019**

7:45 am – 9:00 am	Registration
8:00 am – 9:00 am	Breakfast and Exhibits
9:00 am – 10:00 am	How should my funeral home be set up? S-Corp, LLC, C-Corp, other? (1 Hour)
10:00 am – 10:30 am	Refreshment Break & Exhibits
10:30 am – 11:30 am	Preneed- Is there anything new? You bet there is! (1 Hour)
11:30 am – 12:45 pm	Buffet Lunch and Exhibits
12:45 pm – 1:45 pm	Military Funeral Honors, Serving Those Who Served (1 Hour)
1:45 pm – 2:45 pm	Virginia Laws/Regulations- a Macro overview of what you really need to know! (1 Hour)

#### **Conference Highlights**

- ~1 Free Registration for IFHV Firm Member
- ~Hospitality Suite
- ~Continental breakfast, refreshment break, & buffet lunch
- ~6 hours CE including laws/Regulations & Preneed

#### **Hotel Room Accommodations**

- Single Accommodation \$129.00 per night
- 3-Bedroom Condo \$289.00 per night
- Room Reservation must be made by **October 5th in order to guarantee rate.** Call 434-325-2200 and mention IFHV

**REGISTER ONLINE:** [www.IFHV.org](http://www.IFHV.org)



# **Body Preparation Best Practices**

Funeral Industry Press Releases June 24, 2019

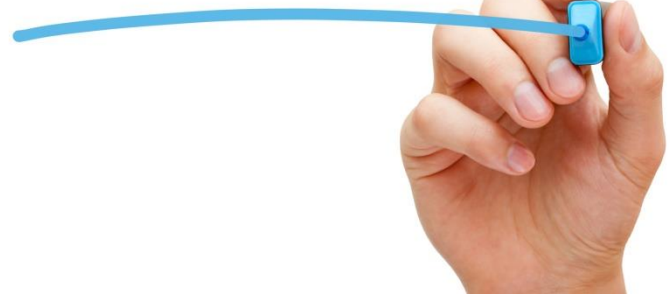
<https://connectingdirectors.com/54745-body-preparation-best-practices>

All of us who are in funeral service and caring for the dead are well aware that they come to us in various conditions. We also know that it is our job to observe these various conditions and prepare them in a way that is suitable for whatever disposition they are going to have. The industry term for preparation without embalming is “minimal care” however, that does not mean our efforts should be minimal. If we consider the most thorough method of preparation embalming, we can use it as our benchmark. However, not everyone gets embalmed, but that doesn’t mean that any preparation we do should not meet the highest level of care that embalming provides.

## **An Ethical Approach**

Those of you who are reading this are likely embalmers (or know embalmers), so you are well aware that embalmers feel very strongly about giving the correct treatment to the deceased in their care. However, what does that actually mean, and how does it apply to preparing someone who is not going to be embalmed?

BEST  
PRACTiCE



## **Cleanliness**

The first step of any thorough embalming is to bathe the person. Not only do we do this for safety reasons, but also to conduct case analysis (see the next section), and have a better understanding of what we are dealing with. Embalmers are sometimes told by institutional care staff, death investigators, and even sometimes the family that the condition of the body is worse than it actually is, and a thorough bathing can actually create more of a peace of mind rather than reveal problems.

During this phase, all medical devices should be removed whether the person is going to be viewed by their family or no one other than the person placing them in the cremation container. We do this for safety in the crematory, because some implants can explode or melt, but also because used medical devices are trash and should be disposed of properly. A reasonable embalmer removes all of the medical devices they can from a person before presenting them, and if this is our ethical standard of care, then this should be done regardless. You wouldn’t expect a person to be buried with garbage, in fact the idea is repulsive.

## **Case analysis**

One of the first things embalmers do when presented with a body is their case analysis. We observe the physical condition of the body in order to decide our strategy for fluid selection, feature setting, and dealing with any possible unknowns that may occur during the embalming such as swelling, purge, etc. . But, if we are not embalming, what can we do? In this case, we still observe any pathological or other medical treatment outcomes this person may have. Medical devices should be removed and dealt with, and lesions should be treated appropriately with surface preservation (if allowed), sutured, or wrapped in bandages to prevent leakage.

## **Beside manner**

By definition, embalming is always mutilation, which is one of the reasons we have to receive permission from the family before doing it. However, we embalmers bristle at this idea, because we are not in the business of mutilating people, we are preparing them for the most difficult event in a family’s life. We rectify this more negative perception by always minimizing the number of invasive procedures necessary, and we do so in a way that is careful and surgical.

Believe it or not, embalmers must have a bedside manner even though their patients have no idea how – or even that – they are being treated. *We know* how they are being treated. When we are preparing an individual who is not going to be embalmed, we always have to consider the technique we are using and recognize what is surgical and what is mutilation.

Further, perhaps one of the reasons a family is choosing not to have someone embalmed is because they do not recognize the care we put into it. Exceptional care of the deceased and proper bedside manner in any invasive procedure is not only ethical but respects the family's wishes as well.

### **The Practical Approach**

So now we have established three points on what to set our benchmark at when caring for an individual, but how do we apply this to a more practical manner? Presupposing compliance with all OSHA regulations and Universal and Standard Precautions, as well as observing the family's wishes, providing minimal care does not mean compromising the quality of your care for their loved one.

## **IFHV FALL CONFERENCE: November 9 & 10: Wintergreen Resort**



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