

Welcome to 2013 and the 18th Edition of the Board Bulletin

This publication offers the Board's 2013 Annual Report and other information specifically designed to increase the level of licensee and public awareness relative to the responsibilities and obligations of both. The Board will make every effort possible to assure current issues that impact licensees and consumers alike are disseminated in an expeditious manner.

Legislation over the state's budget and Medicare dominated the thoughts and minds of every agency and millions of residents throughout the state. Fortunately, the budget and Medicare issues were resolved prior to going into extended sessions. The hope of most is that following the recession that Arizona is on the rebound and recovering from the problems of the past. If the state does manage its monies in a strict fiduciary manner then we hope that all will be bright for the future of Arizona.

Since the first of October of 2012, the agency has been going through the sunset/sunrise review by state auditors. It has been a long process which will also improve the efficiency and effectiveness especially considering the fact that many changes can occur every ten years which is when the last audit took place. The results of the audit should be made public by August or September of this year.

The agency budget appropriations for FY 2013 basically remained unchanged. The number of full time staff member's remains at three and there are no current plans to fill the position loss due to budget sweeps. The Board Staff will make every effort maintain and provide optimal service to licensees and consumers. Thank you for all your efforts and have another great year!

Sincerely,

Rodolfo Thomas
Executive Director

BOARD DESCRIPTION

The State Board of Funeral Directors and Embalmers examines and licenses individuals who provide funeral goods and services. The Board accepts complaints against licensed individuals, establishments, including staff, investigate allegations, and forwards complaints of criminal/civil matters to appropriate authorities. The Board oversees over 1600 licensees practicing in the state, and serves all Arizona Citizens who receive funeral goods and services.

BOARD STATUTORY FUNDING FORMULA

A.R.S. 32-1308 requires that all fees and revenues accruing to the Board be paid to the State Treasurer. Ninety percent of the fees are paid to the Board's fund to cover operational fees and one hundred percent of civil penalties are deposited in the State's general fund. For Fiscal Year 2013, ninety percent represents the Board's appropriated budget of \$348,000 however nearly \$338,000 was collected as of June 30th, 2013. With ten percent of revenue going to the State approximately \$34,500, will be transferred.

BOARDS COMPOSITION

The Board is comprised of four qualified and practicing funeral directors and three consumers, one of which must be the owner or manager of a business. Board Members are appointed by the Governor and serve four-year terms with annual elections for President and Secretary.

STAFFING

The Board maintains three full time positions. An Executive Director responsible for overall administration, a License Administrator responsible for investigation of complaints and compliance visits of establishment and a Programs and Projects Specialist I, responsible for licensing and continuing education and background investigations. The Board due to a reduction in force currently staff three positions and have not filled one position due to budgetary constraints.

BOARD VISION

To create and maintain a balance between fair and equitable business regulation and the protection of the public's health, safety and welfare in the use and purchase of goods and services required for death.

PHILOSOPHY

To maximize public protection through education and minimal regulation.

BOARD MISSION

To maintain and enforce a set of standards that provides protection for the health, safety and welfare of Arizona Citizens by educating the consumer and by actively and impartially regulating those licensed to provide funeral goods and services.

BOARD STRATEGIC PLAN GOALS

1. To ensure that where regulation is required that consumers are only accessing licensed Businesses or Individuals and that licenses are only granted and renewed to competent Individuals with high standards of professional and ethical conduct.
2. To ensure and enforce that information is made available to both the consumer and the Licensee which educates them to the standards of practice, their rights and obligations.
3. To actively and impartially investigate and resolve allegations and complaints, and provide enforcement to protect the public from incompetent services, unprofessional, unethical and illegal conduct.

LAWS AND RULES

Rule revisions are in progress and soon the first set of amendments will be presented. The first set of rule revisions will be the cremation section of the Administrative Code.

A.R.S. 32-1394 has amended section (4.) to include the following: **THE CREMATORY OR THE RESPONSIBLE CREMATIONIST SHALL DESIGNATE A LICENSED CREMATIONIST TO ACT AS AN INTERIM RESPONSIBLE CREMATIONIST.** A.R.S. 32-1399 (1.) to include the following: The crematory shall not open a container containing human remains, except under the personal supervision of a licensed funeral director, or embalmer, **OR A RESPONSIBLE CREMATIONIST LICENSED PURSUANT TO THIS ARTICLE AND TRAINED IN CREMATORY OPERATION TO MANAGE THE DAILY OPERATION OF THE CREMATORY.**

A.R.S. 36-831 (A.) (2.) On the person who is designated as having power of attorney for the decedent in the decedent's most recent **HEALTH CARE POWER OF ATTORNEY PURSUANT TO CHAPTER 32, ARTICLE OF THIS TITLE IF THAT POWER OF ATTORNEY SPECIFICALLY GIVES THAT PERSON THE AUTHORITY TO MAKE DECISIONS REGARDING THE DISPOSITION OF THE DECEDENT'S REMAINS OR A DURABLE POWER OF ATTORNEY IF THAT POWER OF ATTORNEY SPECIFICALLY GIVES THAT PERSON THE AUTHORITY TO MAKE DECISION REGARDING THE DISPOSITION OF THE DECEDENT'S REMAINS.**

A.R.S. 36-831 (I.) The duty to bury or to provide other funeral and disposition arrangements devolves to the next person in the order prescribed pursuant to subsection A of this section if the person who is otherwise responsible for performing this duty is charged with the criminal death of the person to whom the duty is owed **AND THE FUNERAL DIRECTOR IS AWARE OF THE CHARGE.**

A.R.S. 32-1301 (31.) **INTERN TRAINEE MEANS A PERSON WHO INTENDS TO ENTER TRAINING AN INTERN AND WHO IS TEMPORARILY EMPLOYED BY A FUNERAL ESTABLISHMENT.**

A.R.S. 32-1309 (F.) THE BOARD MAY ESTABLISH AND COLLECT A FEE FOR INTERN TRAINEES IN AN AMOUNT TO BE DETERMINED BY THE BOARD.

A.R.S. 32-1324.01

(A.) A FUNERAL ESTABLISHMENT MAY EMPLOY FOR A PERIOD OF NOT MORE THAN A TOTAL OF ONE YEAR AN INTERN TRAINEE WHO IS ENROLLED OR INTENDS TO ENROLL IN A COLLEGE OF MORTUARY SCIENCE AS A STUDENT.

(B.) AN INTERN TRAINEE WHO HAS COMPLETED AT LEAST SIXTEEN HOURS OF TRAINING IN A BOARD APPROVED COURSE OF STUDY THAT INCLUDES TRAINING IN EMBALMING PROCEDURES, ETHICS OF FUNERAL SERVICE, APPLICABLE BOARD RULES, HEALTH AND SAFETY PROCEDURES AND UNIVERSAL HEALTH AND SAFETY PRECAUTIONS MAY DO THE FOLLOWING:

- 1. ASSIST IN THE PREPARATION OF HUMAN REMAINS.**
- 2. ASSIST WITH AN EMBALMING AT THE FUNERAL ESTABLISHMENT IF THE INTERN TRAINEE IS UNDER THE DIRECT PERSONAL SUPERVISION OF AN EMBALMER AT ALL TIMES.**
- 3. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, PERFORM ALL OTHER FUNCTIONS OF A LICENSED INTERN UNDER THE SUPERVISION OF AN EMBALMER OR A FUNERAL DIRECTOR.**

(C.) AN INTERN TRAINEE SHALL BE OF GOOD MORAL CHARACTER AND IS NOT REQUIRED TO BE REGISTERED OR LICENSED BY THE BOARD.

(D.) A FUNERAL ESTABLISHMENT THAT EMPLOYS AN INTERN TRAINEE SHALL SUBMIT ALL OF THE FOLLOWING TO THE BOARD.

- 1. THE NAME AND ADDRESS OF THE INTERN TRAINEE AND OTHER INFORMATION THAT THE BOARD REQUIRES.**
- 2. A COMPLETED FINGERPRINT CARD AND THE PRESCRIBED FINGERPRINT BACKGROUND CHECK FEE FOR ANY PERSON EMPLOYED AS AN INTERN TRAINEE.**

(E.) THE FUNERAL ESTABLISHMENT SHALL REPORT TO THE BOARD THE TERMINATION OF EMPLOYMENT OF THE INTERN TRAINEE

LICENSING ACTIONS

During the reporting period Fiscal Year 2013 beginning July 1st of 2012 ending July 1st of 2013 the following totals are included for the period. In addition to over 1600 renewals, the Board also issued:

- 2 Crematory Licenses
- 12 Establishment Permits
- 29 Pre-Need Salespersons Registrations
- 25 Interns
- 41 Embalmers
- 27 Funeral Directors Licenses
- 14 Establishment Licenses (includes new, location changes, ownership)
- 30 Cremationist Licenses
- 1 Crematory Permits
- 3 Multiple Licenses
- 1 Endorsement Permits

Current number of Funeral Establishments – 169

Current number of Crematories 52

OTHER AGENCY IMPROVEMENTS

The State Board's Office has redesigned its current web site to reflect that of the State of Arizona. Take a little time to browse this informative site. The address is www.azfuneralboard.us

The website will also contain agendas for upcoming meetings as well as the minutes of previous meeting once approved by the Board. Board's staff has received new email addresses and they are also listed on the site.

A partnership between the Arizona Department of Health Services Office of Vital Records and Arizona State Board of Funeral Directors has provided a means of recording the actual number of dispositions for the preceding year which determines the renewal fee for establishments. Indicated on the renewal form is a warning for **fraudulently submitting incorrect numbers in the renewal process.**

The Office of Vital Records will provide the exact number of dispositions (death certificate filings) to the State Boards office for reconciliation of numbers submitted by each establishment within the state. This satisfies the Auditor General inquiry into the verification of statistics for the renewal process. Please ensure that the total number of death certificates filed by your establishment is submitted accurately.

Following renewals the Board will be issuing random letters requesting verification of Continuing Education credits. This will ensure that licensees maintain the integrity of obtaining required annual training. Licensees discovered submitting fraudulent continuing education certificates or training received will be subject to appropriate disciplinary action.

Inspections of both funeral establishments and crematories are current and scheduled inspections are in fact ahead of projected schedules. Inspections will be kept current and licensees are encouraged to maintain all facilities in accordance with statutes and rules.

The following statistics were gathered in this time frame.

Total number of deaths in Arizona	50,289
Total number of cremations	34,570
Percentage of cremations	69%
Percentage of burials/ship-outs	31%

CONTINUING EDUCATION MASTER RESOURCE LIST

PROGRAMS BY NATIONAL FUNERAL SERVICE ORGANIZATIONS:

- Academy of Professional Funeral Service Practice
- American Funeral Consultants
- American Board Funeral Service Education

- National Association of Approved Morticians
- National Funeral Dir. & Morticians Association
- International Conference of Funeral Service Exam Boards
- National Funeral Directors Association
- Cremation Association of North America
- FIAT-IFTA International Federation. Of Thantologist
- Federated Funeral Directors of America
- Funeral Service Foundation
- Jewish Funeral Directors Association
- Western Cemetery Alliance
- Selected Independent Funeral Homes
- Order of Golden Rule
- Preferred Funeral Directors International
- Casket Manufacturer Association
- International Cemetery and Funeral Association

A. PROGRAMS SPONSORED BY STATE ASSOCIATIONS:

- Arizona Funeral, Cemetery & Cremation Association **formerly known as:** Arizona Cemetery Association and Arizona Funeral Directors Association.
- Any other State Association where their State requires Continuing Education

B. PROGRAMS SPONSORED BY LOCAL ASSOCIATIONS:

- Grief Outreach
- Grief Network
- New Song Center
- American Academy of Bereavement
- Lions Eye Bank
- Accord Aftercare Services

C. PROGRAMS SPONSORED BY SUPPLIERS:

- Batesville
- Dodge Chemical Company
- Elder Davis
- Forethought
- B & L Cremation Systems Inc. 1-800 622-5411
- Matthews Bronze/Matthews Cremation Division
- Wilbert & Company
- York Products
- Crematory Manufacturing & Service Inc.
- Options
- Aurora Casket Company

- Trigard University
- Matthews International
- Matthews Cremation Division (cert)

D. HOME STUDY COURSES WITH TEST:

- Thanos Institute: Phone 1-800-742-8257
- ARC Mesa Educators: Phone 1-800-597-6372
- NFDA Home Study: Phone 1-800-228-6332
- Funeral Ethics Association: Phone 1-217-525-1520
- Elite CME, Inc. Phone 1-888-857-6920 www.elitecme.com
- Practicum Strategies 1-800- 731-4714 www.info@pshomestudy.com
www.practicumstrategies.com
- Apex Continuing Education Solutions 1-800-769-8996 e-mail address:
www.apexces.com

E. COLLEGE COURSES

F. HOSPITAL OR LABORATORY BASED INSTRUCTIONAL HOSPICE

G. GOVERNMENT AGENCIES:

- Board of Funeral Directors & Embalmers
- Arizona Department of Health Services
- Social Security Administration
- Veterans Administration

- FEMA (Federal Emergency Management Agency)
- OSHA
- Office of the Medical Examiner (Arizona)
- Public Fiduciary
- Homeland Security (TSA Arizona)
- DMORT

H. OTHER:

- Center for Loss & Life Transition
- Continental Computers
- Epsilon Nu Delta Mortuary Fraternity, Inc
- California Transplant Services Inc.
- In-Sight Institute of In-Sight Books
- Life Appreciation Training
- Foundation National Academy Professional
Embalming Skills
- Risk & Insurance Management Society
- Career Track, Inc. (Seminars only) SCI
- Howard Perlman-OSHA, Compliance & Risk Mgt.
- Duane Moore-OSHA Compliance & Risk Mgt.
- Donor Network of Arizona

- MKJ Marketing
- 360 Training, (online) www.funeralcampus.com
- Heart space Adventures, Barbara Joy PhD
- Mission for Infant Survival & Stillbirth (M.I.S.S.)
- Ford Schools Insurance and Securities
- Great Western Insurance Company
- Dr. Thomas Taggart, Director, Mortuary Science Program, and Cremationist Certifier
- Donna Backhaus, Cremationist Certifier
- Rob Drechsler, Cremationist Certifier
- Lincoln Heritage Funeral Planning
- Donor Network of Arizona
- Forensic Medical Investigations, Mary H. Dudley, MD
- Practicum Strategies
- AZ Donor Services – South West Division- RTI Donor Services
- Donor Network of Arizona
- Funeral Review.com, LLC, www.funeralreview.com
- Alderwoods Group
- Elite
- MKJ Marketing
- www.Mindleaders.com,inc. (online)
- SCI

- Stericycle
- 100% Education by McKissock (on-line) www.mckissock.com
- Fountain National Academy Professional Embalming Skills
- Diversified Environment Information Systems

REQUIRED CONTINUING EDUCATION CATEGORIES AND HOURS:

- Mortuary Science: 3 hours
- Legal Compliance & Ethics: 3 hours
- Professional Development: 6 hours

CONTINUING EDUCATION COMMITTEE MEMBERS

- Donna Backhaus-Chair
- Ed O'Sullivan-Committee member
- Julian King-Committee member
- Patricia Keith-Board Liaison

2012 DISCIPLINARY ACTIONS

There were a total of three (3) dockets that were presented to the Board for determination of any violations of Statute or Rules. The Board either dismissed the investigation with a finding of no violations cited or issued a letter of concern to address potential issues.

2013 BOARD MEETING SCHEDULE

January 15, 2013	May 21, 2013	September 17, 2013
February 19, 2013	June 18, 2013	October 15, 2013
March 19, 2013	July 16, 2013	November 19, 2013
April 16, 2013	August 20, 2013, Tel-Conf.	December 17, 2013

Board Members

John Munden
Funeral Director
President

Joseph James Ahearne
Funeral Director
Secretary

Samuel Bueler
Funeral Director
Member

Monsignor O’Keeffe
Consumer Member

Harold R. Adair
Funeral Director
Member

Kristina Dyrr
Consumer Member

Rev. William O. Smith
Consumer Member

Staff

Rodolfo Thomas
Executive Director

Gary Hendrix
Licensing Administrator

Patricia Keith
Programs and Projects Specialist I