

## **Welcome to 2008 and this 13th Edition of the Board Bulletin**

This publication offers the Board's 2007 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.

After several years of the state's housing boom, population increases and overall robust economy, the state is experiencing the ripple effect of the nation's woes. It was just a year or so ago I was involved in conversation with relatives back east and could not believe the conditions described which were occurring more frequently by the day. Michigan had an alarming foreclosure rate and unemployment was at an all time high. The population of the state had decreased and led the nation in population exodus. Mean while in Arizona, the values of homes skyrocketed and buyers in some situations purchased homes through a lottery system. The average time it took to sell a house once on the market was less then a week. The state through the good times had developed an impressive rainy day fund or surplus which appeared very impressive. Budgets were calculated based upon past year forecasts and current fund balances. Suddenly and prior to the end of the first year of the biannual budget the ceiling has totally collapsed. The State of Arizona like many other states throughout the country is anticipating billion dollar deficits this fiscal year and larger deficits for the next fiscal year. Programs and services are to be reduced and or eliminated with additional sanctions planned if the situation does not improve.

More importantly, what impact will the budget deficit have upon the State Board of Funeral Directors and Embalmers? The board is not funded by the General Fund and provides 10% of its revenue to the state along with civil penalties and fines levied against licensees. Additionally, the board is responsible for expenses paid to the state such as rent, accounting services, and operational costs. Considering the plight of the state the proper thing to do would be to assist the state in any way possible. The legislature took the initiative and created House Bill 2857 which in essence authorizes fund transfers from both General Funded agencies as well as those not funded by the state. The initial sweep of funds was \$100,000. H.B. 2209 was resolved the week prior to the new fiscal year. This second sweep resulted in basically a complete sweep of the Board's remaining fund balance (\$500,000) leaving minimum monies available for the upcoming fiscal year and beyond. Board staff will make adjustments and continue to provide the best services possible.

Thank you and have another tremendous year!

## **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 that 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.

## **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 approximately 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 2007, ninety percent represents the Board's appropriated budget of \$333,000 however nearly \$367,000 was collected. With ten percent at approximately \$37,000, plus civil penalties estimated at \$2,000, the Board is returning at least \$39,000 to the State's general fund.

## **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 AND BUDGET**

The Board maintains four full time positions. An Executive Director responsible for overall administration, a Deputy Director responsible for investigations and continuity of operations during the Directors absence, a Compliance Administrator responsible for the evaluations of all licensed establishments and a Licensing Coordinator responsible for licensing and continuing education. The Board was fully staffed during this reporting period.

The Board's appropriation for FY 2008 was \$353,900 and \$353,900 for FY 2009.

## **ENFORCEMENT INFORMATION**

This section has been renamed and the scope of information provided will be centered on current procedural or statutory modifications to keep licensees in compliance.

### **COMPLIANCE CORNER**

OSHA inspections and Insurance fraud

Compliance Administrator Alexander Estrada during recent inspections of funeral establishments has observed the following occurring violations: (1) Death Certificates under block number 27a, is provided for the signature of the licensed embalmer. You cannot sign in this block unless you actually performed the embalming. (2) Prep rooms must be functional at all times, if you utilize the facility or not. This includes the proper operation of all required equipment and not to replace other rooms such as a storage bin. (3) The statement of Goods and Services must be signed by a funeral director and his/her license number attached. Many contracts are without proper signatures. (4) Ensure that staff members are not identifying themselves as “funeral directors” unless properly licensed by the Board.

## **LAWS AND RULES**

Senate Bill 1023 relating to burial responsibility became effective on September 19, 2007. The greatest impact upon the industry in terms of funeral directors is A.R.S. § 32-1365.02. Key provisions in Senate bill 1023 have changed burial responsibility from the surviving spouse to adult children if the deceased person is legally separated or divorced from his or her spouse at the time of death. Additional provisions require a majority of siblings to determine final disposition rather than the use of unanimous agreement of all siblings. The utilization of “reasonably available” and the fifteen day (15) time frame facilitates the arrangement process for families and reduce storage of remains. There are other amendments to the bill which assist the funeral director in expediting final disposition. Take time to view our web site and become familiar with the changes implemented in assisting you in your responsibilities. If you have any questions please do not hesitate to contact Board staff with your questions.

With passage of Senate Bill 1023, cremation sections within our rules will be amended to reflect the changes within our statute.

## LICENSING ACTIONS

During the reporting period, in addition to over 1600 renewals, the Board also issued:

- 7 Crematory Licenses
- 5 Establishment Permits
- 11 Pre-Need Salespersons Registrations
- 17 Interns
- 33 Embalmers
- 35 Funeral Directors Licenses
- 13 Establishment Licenses (includes new, location changes, ownership)
- 39 Cremationist Licenses

## 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.funeralbd.state.az.us](http://www.funeralbd.state.az.us).

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.

The Board has purchased laptops for Board members in an effort to reduce the amount of create a paperless environment and utilizes CD's which will be prepared prior to each board meeting and mailed to members. . As a result a reduction in the amount of paper, postage and storage expenses and personnel hours are minimized.

The following statistics were gathered in this time frame.

Conventional Burials	14,246	30%
Cremations	28,968	61%
Ship Outs	4,275	9%
Total	47,489	100%

## **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 Thanatologist
- 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 Cemetery Association
- Arizona Funeral Directors Association
- Any other State Association where the 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 Options
- Trigard University

**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](http://www.elitecme.com)
- Practicum Strategies 1-800- 731-4714 [www.info@pshomestudy.com](mailto:www.info@pshomestudy.com)  
[www.practicumstrategies.com](http://www.practicumstrategies.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

#### **H. OTHER:**

- Center for Loss & Life Transition
- Continental Computers
- Diversified Environment Information Systems
- 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.
- MKJ Marketing
- 360 Training
- Heartspace 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
- 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
- Alderwoods Group
- Elite
- MKJ Marketing
- [www.Mindleaders.com,inc](http://www.Mindleaders.com,inc). (online)
- SCI
- Stericycle
- 100% Education By McKissock (on-line) [www.mckissock.com](http://www.mckissock.com)

**REQUIRED CONTINUING EDUCATION  
CATEGORIES AND HOURS:**

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

**CONTINUING EDUCATION COMMITTEE MEMBERS**

- Nancy Keil-Chair
- Ed O’Sullivan-Committee member
- Julian King-Committee member
- Jesse DeAnda-Committee member
- Patricia Keith-Board Liaison

## 2007 DISCIPLINARY ACTIONS

<b>Licensee</b>	<b>Violation</b>	<b>Action Taken</b>
Best Funeral Services	Unprofessional Conduct	Letter of Reprimand RFD Embalmer and Establishment
Sunland Mortuary & Cremation Services	Unprofessional Services	Dismissed – No Violation and statutes in effect at the time of Alleged violation
Universal Memorial Center	Unprofessional Services	Dismissed- No Violation
La Paz Funeral Home	Unprofessional Services	Letter of Reprimand to Establishment Administrative Costs-\$350 and Letter of Concern to RFD
Angels Cremation & Burial	Unprofessional Services	Dismissed – No Funeral Law Violations
Greer-Wilson Funeral Home	Unprofessional Services	Letter of Concern to FD McFarlane Letter of Censure, administrative Cost and civil penalty of \$250 to FD Noecker. Letter of Concern to Establishment and \$4,000 penalty
La Paz Funeral Home	Unprofessional Services	RFD Letter of Censure Establishment 3 month probation Or until completion of CE approved By Board. Administrative costs
Harper Funeral Home	Unprofessional Services	Letter of Censure to Establishment Letter of Censure to RFD
Morris-David's Safford Funeral Home	Unprofessional Services	Letter of Concern to Establishment
David's Desert Chapel Funeral Home	Unprofessional Services	Dismissed – No Funeral Law Violation

Morris-David's Safford Funeral Home	Unprofessional Services	Pending
LaPaz Funeral Home	Unprofessional Services	Letter of Concern
Martinez Funeral Chapels	Unprofessional Services	Dismissed – No Funeral Law Violation
Harper Funeral Home	Unprofessional Services	Letter of Reprimand to Establishment Administrative Costs

### **2008 BOARD MEETING SCHEDULE**

**January 15, 2008**  
**February 19, 2008**  
**March 18, 2008**  
**April 15, 2008**

**May 20, 2008**  
**June 17, 2008**  
**July 15, 2008**  
**August 19, 2008 Tele-Conf.**

**September 16, 2008**  
**October 21, 2008**  
**November 18, 2008**  
**December 16, 2008**

**(State Seal)**

**Board Members**

**Rev. Katherine Shindel**  
Consumer Member  
President

**Kristen Lietz-Aldridge**  
Funeral Director  
Secretary

**Charles Merrick**  
Funeral Director  
Member

**Monsignor O’Keeffe**  
Consumer Member

**Martin A. Crist**  
Funeral Director  
Member

**Phyllis Rowe**  
Consumer Member

**Staff**

**Rodolfo Thomas**  
Executive Director

**Susan Skrzycki**  
Deputy Director

**Alexander Estrada**  
Licensing Administrator

**Patricia Keith**  
Administrative Assistant III

