
BOARD OF EMBALMERS AND FUNERAL DIRECTORS

- Eliminates the current law restriction on a funeral director supervising more than one funeral home.
- Increases certain fees for licenses issued by the Board of Embalmers and Funeral Directors.
- Caps the fee for reinstatement of a lapsed embalmer's or funeral director's license at \$1,000.
- Transfers the current law authority to hire inspectors from the Board to the Executive Director of the Board.
- Transfers the current law authority to hire Board staff from the Board to the Executive Director.
- Expands the Executive Director's authority to employ staff to allow the Executive Director to employ staff to provide any assistance to the Board that the Board considers necessary.
- Requires the Board to fix the compensation of the Executive Director.
- Requires the Executive Director to fix the compensation of staff who are employed to assist the Board, which places Board staff into the unclassified civil service.
- Allows the Executive Director to enter a funeral home, embalming facility, or crematory facility for purposes of inspection if the Director is accompanied by an inspector or if there is danger of immediate and serious harm to the public.

Supervision of funeral homes

(R.C. 4717.06)

Under continuing law, every funeral home must be directly supervised by a funeral director. A funeral home that does not comply with this requirement may be fined between \$100 and \$5,000 and the Board of Embalmers and Funeral Directors may suspend or refuse to renew the funeral home's license.¹¹⁶ The bill eliminates the current

¹¹⁶ R.C. 4717.99, not in the bill.



law restriction that a funeral director may supervise only one funeral home, thus allowing a funeral director to supervise more than one funeral home.

Fees

(R.C. 4717.07)

The bill increases the following fees for licenses issued by the Board:

- The fee for initial issuance or biennial renewal of an embalmer's or funeral director's license, from \$140 to \$150;
- The fee for the initial issuance or biennial renewal of a license to operate a funeral home, from \$250 to \$350;
- The fee for the initial issuance or biennial renewal of a license to operate an embalming facility, from \$200 to \$350;
- The fee for initial issuance or biennial renewal of a license to operate a crematory facility, from \$200 to \$350; and
- The fee for the issuance of a duplicate license, from \$4 to \$10.

The bill also caps the fee for the reinstatement of a lapsed embalmer's or funeral director's license at \$1,000. Continuing law requires that the fee for reinstatement of a lapsed embalmer's or funeral director's license be the fee for issuance of that license plus \$50 for each month or portion of a month that the license is lapsed.

Inspectors and Board staff

(R.C. 4717.03, with conforming changes in R.C. 4717.14 and 4717.15)

The bill eliminates the current law authority of the Board to employ clerical or technical staff who are not Board members and who serve at the pleasure of the Board to provide any clerical and technical assistance the Board considers necessary. The bill instead requires the Executive Director to employ staff who are not Board members and who serve at the pleasure of the Executive Director to provide any assistance that the Board considers necessary. The bill also transfers authority for the employment of inspectors from the Board to the Executive Director.

The bill also removes current law duties of inspectors to serve and execute any process issued by any court under the Embalmers and Funeral Directors Law and execute any papers or process issued by the Board or a Board member. Instead, the bill



requires the inspector to perform any duties delegated to the inspector by the Board (as under continuing law) or assigned to the inspector by the Executive Director.

Compensation of the Executive Director and Board staff

(R.C. 4717.03)

The bill requires the Board to fix the compensation of the Executive Director and requires the Executive Director to fix the compensation of Board staff.

Administrative staff positions for which an appointing authority is given specific statutory authority to set compensation are within the current law list of positions that are in the unclassified civil service.¹¹⁷ Because the bill gives the Executive Director (who is the appointing authority under the bill) specific authority to set compensation of Board staff, the bill places Board staff into the unclassified civil service.

Inspection by the Executive Director

(R.C. 4717.03)

The bill authorizes the Executive Director to enter the facility or premises of a funeral home, embalming facility, or crematory for the purpose of an inspection if (1) the Executive Director is accompanied by an inspector or (2) if an inspector is unavailable and a situation presents a danger of immediate and serious harm to the public.

Biennial renewal

(R.C. 4717.10)

The bill clarifies that a funeral director's or embalmer's license issued through the reciprocity provisions of the Embalmers and Funeral Directors Law is renewed biennially. Currently, the law states that these licenses are renewed annually in accordance with the Law's renewal procedures, which requires licenses to be renewed biennially.

¹¹⁷ R.C. 124.11(A)(30).

