
BOARD OF EMBALMERS AND FUNERAL DIRECTORS

- Allows a funeral director to supervise 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 authority to hire inspectors and staff from the Board to the Executive Director of the Board.
- 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.
- Revises the duties of inspectors.
- 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 on a first offense (and between \$100 and \$10,000 on a subsequent offense) and imprisoned for up to one year. The Board of Embalmers and Funeral Directors also may suspend or refuse to renew the funeral home's license.¹⁰⁹ The act eliminates the restriction that a funeral director may supervise only one funeral home and expressly allows a funeral director to supervise more than one funeral home.

¹⁰⁹ R.C. 4717.99, not in the act, and R.C. 4717.14.



Fees

(R.C. 4717.07)

The act 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;
- The fee for the issuance of a duplicate license, from \$4 to \$10.

The act 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 (\$150 under the act) 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 act eliminates the 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 act 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 act also transfers authority for the employment of inspectors from the Board to the Executive Director.

The act also removes 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 act 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.



Inspection by the Executive Director

(R.C. 4717.03)

The act 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 act 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. Formerly, the law stated that these licenses were renewed annually in accordance with the Law's renewal procedures, which under continuing law requires licenses to be renewed biennially.¹¹⁰

¹¹⁰ R.C. 4717.08, not in the act, and R.C. 4717.07.

