BOARD OF EMBALMERS AND FUNERAL DIRECTORS

- Exempts, from disclosure under Ohio Public Records Law, preneed funeral contracts, and contract terms and personally identifiable information of a preneed funeral contract, contained in mandatory reports submitted to the Board of Embalmers and Funeral Directors.

Preneed funeral contracts – public records exemption

(R.C. 149.43)

The act exempts, from disclosure under Ohio Public Records Law, preneed funeral contracts, and contract terms and personally identifying information from a preneed funeral contract, that may be contained in a report submitted by or for a funeral home to the Board of Embalmers and Funeral Directors.

A preneed funeral contract is a written contract to provide funeral goods or services to be used in connection with the funeral or final disposition of a dead human body, entered into before the death of the purchaser or intended recipient of the goods or services.\(^{59}\)

Several ongoing provisions of law require information about preneed funeral contracts to be submitted to the Board. First, a person who holds a funeral home license for a funeral business, after closing or before a change of ownership, must submit to the Board a clearly enumerated account of certain moneys owed to the business including moneys from preneed funeral contracts.\(^{60}\) Second, every seller of preneed funeral contracts must provide an annual report of such sales to the Board.\(^{61}\) Finally, to help the Board administer the preneed recovery fund, each funeral home licensee who sells a preneed funeral contract must submit to the Board certain information about each contract.\(^{62}\)

\(^{59}\) R.C. 4717.01, not in the act.
\(^{60}\) R.C. 4717.13, not in the act.
\(^{61}\) R.C. 4717.31, not in the act.
\(^{62}\) R.C. 4717.41, not in the act; O.A.C. 4717-14-07.