Connecticut Funeral Directors Association, Inc.

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Written Testimony of
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House Bill 7160, An Act Concerning Funerals

House Bill 7163, An Act Concerning Revisions to Department of Public Health Statutes

Senate Bill 1190, An Act Concerning Vital Records

February 26, 2007
General Assembly's Public Health Committee

Good morning Senator Handley, Representative Sayers and members of the Public Health Committee, my name is Jonathan Woyasz, I'm President of the Connecticut Funeral Directors Association and I am also the owner of Woyasz and Son Funeral Home in Norwich. On behalf of CFDA, I am here to testify on House Bill 7160, 7163 and Senate Bill 1190. I wish to thank this committee, its leadership, the Department of Public Health, the Attorney General's office and the Embalmers Board for their time in drafting these important proposals to the funeral industry.

First in regards to House Bill 7160, "An Act Concerning Funerals," CFDA supports the intent of this legislation. This bill clarifies for funeral directors the procedures for final disposition of bodies brought to Connecticut from another state. Based on a meeting last week, the Attorney General's office will be offering an amendment to clarify and bring consistency to this bill. CFDA supports that proposed amendment.

In section 7, CFDA supports requiring funeral directors to take continue education hours each year in Federal Trade Commission regulations as well as federal and state laws. Given the complexity and ever changing laws and regulations governing funeral services this change will serve the public and funeral directors well. CFDA does request a technical amendment to this section allow funeral directors a year from their first license renewal to complete these continue education courses. I've attached an amendment to this testimony for your consideration.

In regards, to Senate Bill 1190, "An Act Concerning Vital Records," following a discussion with the Department of Public Health we recommend the deletion of sections 3, 4, 6, 7 and 8. These sections would have permitted funeral directors to file death certificates in the town where their business is located rather than in the town of death as required under current statute. Though on paper this proposal seemed to work well, CFDA agrees with DPH that such a change could be problematic for the Department in tracking missing death certificates.

In lieu of these deleted sections, CFDA would request an amendment to House Bill 7160 allowing funeral directors to obtain a burial permit from the registrar of the town in which their business is located rather than obtaining the burial permit in the town of death. I've attached an amendment to this legislation for your review.

In regards to House Bill 7163, "An Act Concerning Revisions to Public Health Statutes," CFDA supports section 34 which requires funeral homes to retain records for not less than 3-years from final disposition.

Finally, CFDA will be submitting an amendment for consideration by this committee; this amendment will address an outdated regulation in regards to the preparation and transportation of bodies. This regulation does not conform to current industry standards for safe practice. Funeral Directors in compliance with safe industry standards and practices have been found to be in violation of this outdated regulation (19a-36-A39). Given the often long regulatory process, we ask that you consider a statutory change to this regulation to avoid the conflict outlined above.

Thank you for your attention to these matters, I would be glad to answer any questions.

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In addition to the Attorney General's Amendment, CFDA request the following Amendment to (new language appears in **bold** type):

HB 7160, AN ACT CONCERNING FUNERALS

LCO No. 4218

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 7-65 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

The embalmer or funeral director licensed by the department, or licensed in a state having a reciprocal agreement on file with the department and complying with the terms of such agreement, who assumes custody of a dead body shall obtain a [burial transit] removal, transit and burial permit from the registrar of the town in which the death occurred **or from the registrar of the town in which the embalmer or funeral director maintains a place of business** not later than five calendar days after death, and prior to final disposition or removal of the body from the state. The burial permit shall specify the place of burial or other place of interment and state that the death certificate and any other certificate required by law have been returned and recorded. Such registrar shall appoint suitable persons as subregistrars, who shall be authorized to issue a [burial transit] removal, transit and burial permit based upon receipt of a completed death certificate as provided in section 7-62b, during the hours in which the registrar of vital records is closed. All such certificates upon which a permit is issued shall be forwarded to the registrar [within] not later than seven days after receiving such certificates. The appointment of subregistrars shall be made in writing, with the approval of the selectmen of such town, and shall be made with reference to locality, to best accommodate the inhabitants of the town. Such subregistrars shall be sworn, and their term of office shall not extend beyond the term of office of the appointing registrar. The names of such subregistrars shall be reported to the Department of Public Health. The Chief Medical Examiner, Deputy Chief Medical Examiner and associate medical examiners shall be considered subregistrars of any town in which death occurs for the purpose of issuing burial permits and removal permits. The fee for such burial permit and burial transit removal permit shall be paid to the town in which the death occurred.

Sec. 7. Section 20-219a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(a) As used in this section: (1) "Licensee" means a funeral director or embalmer licensed pursuant to this chapter; and (2) "department" means the Department of Public Health; and (3) "registration period" means the twelve-month period that commences on the date of renewal of the licensee's license, as provided in section 19a-88, and is current and valid.

(b) Each licensee shall complete a minimum of six hours of continuing education during each registration period, two of which shall be in the area of federal and state laws regarding the provision of funeral services, including applicable Federal Trade Commission regulations. **The licensee shall have a twelve-month period from the first license renewal after the effective date of this act to complete the federal and state laws regarding funeral services and Federal Trade Commission regulations provisions of this section.** The remaining four hours of continuing education shall be in areas related to the licensee's practice, including, but not limited to, bereavement care, business management and administration, religious customs and traditions related to funerals, cremation services, cemetery services, natural sciences, preneed services, restorative arts and embalming, [federal and state laws governing funeral services,] counseling, funeral service merchandising, sanitation and infection control, organ donation or hospice care. The continuing education shall consist of courses offered or approved by the Academy of Professional Funeral Service Practice, educational offerings sponsored by a hospital or other licensed health care institution or courses offered by a regionally accredited institution of higher education.

(c) Each licensee shall obtain a certificate of completion from the provider of the continuing education for all continuing education hours that are successfully completed and shall retain such certificate for a minimum of three years following the license renewal date for which the activity satisfies the continuing education requirement. Each funeral home **and licensee** shall maintain a copy of such certificate for each licensee employed by the funeral home. Upon request by the department, the licensee or funeral home shall submit the certificate to the department.

(d) A licensee who fails to comply with the provisions of this section shall be subject to disciplinary action pursuant to section 20-227.

(e) The continuing education requirements shall be waived for licensees applying for license renewal for the first time. The department may, for a licensee who has a medical disability or illness, grant a waiver of the continuing education requirements for a specific period of time or may grant the licensee an extension of time in which to fulfill the requirements.