

Alabama Board of Funeral Service

NOTICE OF INTENDED ACTION

<u>AGENCY NAME:</u>	Alabama Board of Funeral Service	
<u>RULE NO. & TITLE:</u>	395-X-6-.06	Embalming Records
	395-X-6-.07	Identification of Dead Human Bodies
	395-X-6-.09	Crematory "New Rule"
	395-X-6-.10	Crematory Holding Room "New Rule"
	395-X-6-.11	Refrigeration Unit "New Rule"
	395-X-6-.12	Combustible Cremation Container "New Rule"
	395-X-6-.13	Internal Identification System "New Rule"
	395-X-6-.14	Cremation Records "New Rule"
	395-X-6-.15	Inspection Penalties

INTENDED ACTION: The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-6-.06, Rule No. 395-X-6-.07, and Rule No. 395-X-6-.15. The Alabama Board of Funeral Service proposes to add new rules as Rule No. 395-X-6-.09 titled "Crematory", Rule No. 395-X-6-.10 titled "Crematory Holding Room", Rule No. 395-X-6-.11 titled "Refrigeration Unit", Rule No. 395-X-6-.12 titled "Combustible Cremation Container", Rule No. 395-X-6-.13 titled "Internal Identification System, and Rule No. 395-X-6-.14 titled "Cremation Records".

SUBSTANCE OF PROPOSED ACTION: The Board proposes to amend Rule No. 395-X-6-.06 to add language require a written embalming authorization be obtain by the funeral establishment in addition to verbal authorization. The Board proposes to amend Rule No. 395-X-6-.07 to add required identifying information on a decedents identification band. The Board proposes to amend Rule No. 395-X-6-.15 formally 395-X-6-.09 to add penalties for minor violation for a crematory. The Board proposes to add new rule Rule No. 395-X-6-.09 titled "Crematory" to clarify who must comply with the crematory facility requirements. The Board proposes to add new rule Rule No. 395-X-6-.10 titled "Crematory Holding Room" to establish the requirements for a holding room in a crematory facility. The Board proposes to add new rule Rule No. 395-X-6-.11 titled "Refrigeration Unit" to establish the size and constant temperature of a refrigeration unit to retain human remains in a crematory facility and to prohibit stacking human remains on top of each other. The Board proposes to add new rule Rule No. 395-X-6-.12 titled "Combustible Cremation Container" to add language requiring identifying information of the decease be marked o the container. The Board proposes to add new rule Rule No. 395-X-6-.13 titled "Internal Identification System" to require metal tags be the internal identification system to be used by crematory, the placement of the metal at the completion of the process, and the requirement for all receptacles containing cremated remains be labeled with the identity of the remains. The Board proposes to add new rule Rule No. 395-X-6-.14 titled "Cremation Records" to list required information on the cremation log and cremation authorization form.

APA-2
07/04

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Tuesday, September 5, 2017

Place: 11 South Union Street Suite 106, Montgomery, AL 36104

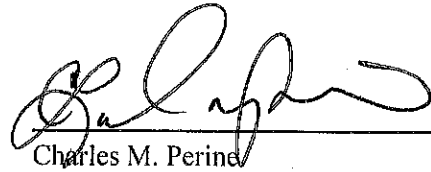
Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Tuesday, September 5, 2017

CONTACT PERSON AT AGENCY:

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Executive Director
11 South Union Street
Suite 106
Montgomery, AL 36104



Charles M. Perine
Executive Director
Alabama Board of Funeral Service

Alabama Board of Funeral Service
ADMINISTRATIVE CODE

CHAPTER 395-X-6
FUNERAL ESTABLISHMENT REQUIREMENTS

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395-X-6-.06 Embalming Records.

(1) Embalming Log.

- (a) Each funeral establishment in ~~the~~ this state, beginning January 1, 1986, shall keep a record of each human dead body embalmed at said establishment and shall retain such record for a period of not less than four (4) years.
- (b) The record may be in simple log form, but shall contain
 1. the name of the deceased
 2. date of embalming
 3. time embalming procedure began and ended
 4. the signature of the embalmer.

(2) Embalming Authorization.

- (a) In accordance with the Federal Trade Commission Funeral Rule, express consent must be obtained prior to embalming. The express consent must be documented and retained in the decedent's file. In addition to express consent, the funeral establishment must obtain written authorization for embalming from the authorizing agent during the funeral arrangement conference.

- (3) Said records may contain any additional information, at the discretion of the establishment, so long as it meets the aforementioned provisions. Embalming records will be checked during the annual inspection beginning fiscal year 1986-87.

Author:

Statutory Authority: Code of Ala. 1975, § 34-13-26.

History: Filed August 9, 1985. **Amended:** Filed July 14, 2017