



BOARD REVIEW

VOLUME 13, No. 1
WINTER 2005

WEST VIRGINIA BOARD OF FUNERAL SERVICE EXAMINERS "WVBFSE"
THE PROFESSIONALS' NEWSLETTER

EXAM REVIEW COST INCREASE

Due to the increased costs of ordering and administering, the board will now charge \$100.00 for Examination Reviews. Please don't confuse this with the actual state law examinations. There has been no increase in the price of the examination itself.

An Examination Review is offered to candidates who do not successfully pass the state law examination. The review allows the candidate to determine his or her areas of weakness, so that he or she can concentrate on those areas when studying for the examination.

If you have any questions about the Examination Review, please feel free to call our office.

LEGISLATIVE COMMITTEE ACTIONS

The Legislative Committee met in August to work on several issues assigned to it by the Board. As a result of that meeting, the committee made the following recommendations and the Board voted to accept such recommendations at its November meeting:

- (1) The Board should pursue reciprocal agreements with bordering states, in order to facilitate consistency among the states, and to continue to review current reciprocity standards.
- (2) The Board should consider the regulation and licensing of trade services or mortuary services that do not have their own facilities, to ensure safety and proper care in handling and preparing bodies.
- (3) The Board should amend its regulations to require the use of embalming reports, to ensure proper procedures are followed.

VIDEO TAPING FUNERALS

Many of you offer to video tape or otherwise record funerals for your families. The board advises that if you plan to tape or record, you should disclose this fact to the families during arrangement conferences and then allow families the opportunity to refuse such service.

Many families are still not comfortable with this type of service, even though you may offer it at no charge.

CAN I CHARGE LATE FEES OR INTEREST?

After the board was informed by a licensee about a potential problem, the board is currently reviewing the legality of charging late fees or interest to families who fail to pay their funeral bills.

While the board is still engaged in its review, we hope to advise you further in the spring issue.

OFFICE CLOSURES & HOLIDAYS

January 17	Martin Luther King Day
February 11	Lincoln's Birthday (observed)
February 21	President's Day
May 30	Memorial Day

DISCIPLINARY ACTIONS

*Board v. Kevin M. McClure,
funeral service licensee*

After conducting an investigation, the licensee entered into a Consent Decree. The Board found that the licensee was personally responsible for losses to his employer's business amounting to several thousand dollars. As part of the Consent Decree, the licensee agreed to permanently surrender his license. Additionally, the licensee is permanently prohibited from seeking reinstatement of his license and from owning or having interest in a funeral service or crematory business.

ADVERTISING REMINDER

Advertisements must contain the name of the business, the address and phone number, and the name of the licensee-in-charge.

Business cards, pens and pencils are exempt from this requirement, as are other items smaller than 1.5 inches in diameter.

THINK TWICE!

Think twice before letting your funeral service license lapse in the future. If you let your license lapse for more than one (1) year, you will be required to pass the state law examination again! In addition, you will pay a hefty price: a \$250.00 reinstatement fee, a \$200.00 exam fee, and your license fee of \$160.00.

The same is true for other licensees, with the exception of the law examination. The cost will range between \$320.00 and \$370.00.

BOARD MEETING SCHEDULED

The Board will meet on Wednesday, February 16, 2005 in its Charleston Office to conduct regular business.

Inside this Issue

COURT APPLICATIONS: Feel free to copy these forms to your computer.

CERTIFIED CE PROVIDERS

Any program offered by a certified continuing education provider is automatically approved for credit. These providers have proven in the past that they offer numerous, quality programs. A list of certified providers is available on the board's website, www.wvfuneralboard.com. Contact providers directly to obtain a list of available programs.

Board Staff

Sherri Douglass, Executive Director
James Sands, Investigator
Alvin Arner, III, Inspector
Price Calfee, III, Inspector

**Areas with gray background denote OSHA/health related courses. There are several more courses, including OSHA/Health programs, listed on our website, www.wvfuneralboard.com. Consult previously issued newsletters, also.

On-Going** (daily)	Meeting the Needs of our Changing Families 10 CEU's General Education Location: Batesville, IN Sponsor: Batesville Casket Company, (800) 622-8373	On-Going**	Life Appreciation Basic Training 5.0 CEU's General Education Location: Internet Sponsor: Life Appreciation Training Seminars, (800)-877-8905 or www.lifeappreciation.com	On-Going*	10 Home-study courses 10 CEU's General Education **Will be adding 1-2 OSHA courses Sponsor: Thanos Institute, (800) 742-8257 www.thanosinstitute.com
On-Going**	NFDA Home Study Program Video Tapes General Ed: 4 CEU's each, 10 CEU's for "Embalming Difficult Cases" OSHA Ed: 4.00 CEU's each for "OSHA Access to Employee Exposure" and "OSHA Hazard Communication and Formaldehyde Standard" Audio General Ed: 1.75 CEU's each OSHA Ed: 1.75 CEU's each for #03-TC2AB, #03-TC04AB Books/Readings General Ed: 10.0 CEU's each Location: home! Sponsor: NFDA, (800) 228-6332	On-Going**	1.0 CEU's General Education Basic Funeral Customers Depositions History of Preserving Human Remains Rational Thinking Stillborn Support Understanding the At-Need Customers 2.0 CEU's General Education Decision Making Effective Goal Setting Funeral Rule Targeting your Primary Markets 3.0 CEU's General Education Ethics of Making Funeral Arrangements 2.0 CEU's OSHA Education OSHA Workplace Rights 3.0 CEU's OSHA Education Bloodborne Pathogens Location: Internet Sponsor: FuneralCE.com. www.funeralce.com or (866) 332-8423	On-Going**	Understanding and Managing Grief 6.0 CEU's General Education HIV/AIDS: A Funeral Practitioner's Guide to Occupational Exposure 2.0 CEU's OSHA/Health Education Hazard Communication in Funeral Service 1.0 CEU's OSHA/Health Education Location: homestudy (internet) Sponsor: FuneralReview.com, (727) 822-4700, www.funeralreview.com
On-Going*	Federal Trade Commission (1 CEU General Ed.) Laws and Rules... (2 CEU's General Ed.) OSHA... (4 CEU's OSHA/Health Ed.) Can be taken as one complete course Location: home study Sponsor: Elite CME, Inc., (888) 857-6920	On-Going*	27 different HOME STUDY programs Programs range from 4.0 - 10.0 CEU's General Education each 4.0 CEU's OSHA Education OSHA: A Practical Guide... Dealing with Communicable Diseases... Hazardous Chemicals... Location: Homestudy Sponsor: Practicum Strategies, (800) 731-4714 or www.practicumstrategies.com	On-Going*	2 CEU's OSHA/Health Ed. Communicable Disease 3 CEU's General Ed. Marketing a Funeral Home... Understanding & Creating Exceptional Funeral Experiences 4 CEU's General Ed. Understanding Preneed Personnel Mgmt Location: Internet Sponsor: Funeral Review.com, (727) 822-4700 www.funeralreview.com
Jan. 25, 2005	Cremation Seminar 3.0 CEU's General Education Location: Parkersburg, WV Sponsor: Leavitt Funeral Homes, (304) 422-6459 or jon@LeavittFuneralHome.com	Feb. 20-25, 2005	Under Forty Seminar Contact sponsor for total credit hours Location: Tucson, AZ Sponsor: Selected Independent Funeral Homes (847)236-9401	Jan. 13-14, 2005	Sales Management & Marketing Conference 11.5 CEU's General Education Location: New Orleans, LA Sponsor: ICFA, (800) 645-7700
Feb. 7-11, 2005	The Dodge Seminars 2.25 CEU's OSHA/Health Education 17.75 CEU's General Education Location: Maui, Hawaii Sponsor: The Dodge Institute, (800) 443-6343	On-Going**	Funeral Campus 1. 36 courses, ranging from 1-17 hours each General Education 2. 15 osha/health courses Location: internet Sponsor: 360 training, www.funeralcampus.com or 1-800-442-1149	March 7-11, 2005	The Dodge Seminars 2.25 CEU's OSHA/Health Education 17.75 CEU's General Education Location: New Orleans, LA Sponsor: The Dodge Institute, (800) 443-6343

CE's ARE DUE BY JUNE 30, 2005. YOUR STATUS CAN BE FOUND ON THE LAST PAGE OF THIS NEWSLETTER, JUST BELOW THE MAILING LABEL

**WELCOME
TO THE NEWEST MEMBERS OF THE FUNERAL INDUSTRY**

FUNERAL SERVICE LICENSEES

Aaron E. Hott
Eugene L. Burgin
Timothy Eric McKeever

COURTESY CARD HOLDERS

none

CREMATORY OPERATORS

Frank E. Gonchoff
John E. Barton
Larry R. Dean

CREMATORIES

Kepner Funeral Home

APPRENTICES

Rebekah E. Toler
Jason B. Thomas
Jessica A. Cochran

FUNERAL ESTABLISHMENTS

none

APPLICATION TO REQUEST THE CIRCUIT COURT TO
DECLARE AN ESTRANGED RELATIONSHIP,
FOR THE PURPOSES OF FINAL DISPOSITION OF A DECEASED
HUMAN BODY

I, _____, hereinafter "Applicant,"
do hereby make application to the Circuit Court, requesting that
be
declared estranged at the time of death from a deceased person,
_____, who died on _____,
_____ for the purposes of the final disposition of the deceased
person listed above.

The allegedly estranged person listed above is currently the qualified
authorized representative who has the control and duty for final disposition of the
deceased person listed above.

This application is being filed in accordance with West Virginia Legislative
Rule 6CSR1, §6-1-24.3. In reviewing the circumstances of this matter, I ask the Circuit
Court to consider if the relationship was characterized by mutual enmity, hostility, or
indifference, in accordance with West Virginia Legislative Rule 6CSR1, §6-1-24.3.

Should the Circuit Court determine that the relationship was estranged, I
request the Circuit Court to pass the right of final disposition to the authorized
representative(s) in the next degree of relationship, pursuant to West Virginia
Legislative Rule 6CSR1, §6-1-24.3.

Attached is the contact information of the allegedly estranged person and
persons in the next degree of relationship, and their addresses and phone numbers.

Dated this _____ Day of _____, 200__.

Print Name

Signature

Mailing Address

Relationship to Deceased Person

Street Address

Day Time Telephone

City, State, Postal Code

APPLICATION TO REQUEST AUTHORIZATION FOR THE
DISPOSITION OF A DECEASED HUMAN BODY

I, _____, hereinafter "Applicant,"
do hereby make application to the Circuit Court, requesting authorization for the final
disposition (funeral and/or burial or cremation) of a deceased person,
_____, hereinafter "Decedent," who died on
_____. Specifically, my request is for
_____.

As the Applicant for such request, I will be responsible for filing any claims
against the estate or the Department of Health and Human Resources for burial benefits
for the final disposition. Specifically, if granted authorization for the final disposition
of the Decedent, the actual charges for such service(s) will be
\$ _____ and I will seek compensation from

_____ for the maximum allowable payment. The
Circuit Court will not in any way be responsible for such payments. Based on
information provided by persons closely acquainted with the Decedent, I have
reasonable belief that the Decedent has no living relatives or other persons who qualify
as an Authorized Representative, pursuant to West Virginia Legislative Rule 6CSR1,
§6-1-24 and 6CSR2, §6-2-23.

I have reasonable belief that the Decedent left no written instructions for
final disposition of his/her body; and, there appears to be no living spouse or other
living relatives; no living permanent legal guardian; and no person who is eligible to
inherit the estate of the Decedent.

Narrative: Other circumstances of this case _____

The information I have provided in this application is true and accurate to the best of my knowledge.

Dated this _____ Day of _____, 200__.

Print Name

Funeral Home or Crematory

Signature

Mailing Address

Title

Street Address

Day Time Telephone

City, State, Postal Code

Questions?...Just Ask Us!

If you need information pertaining to the practice of funeral service, funeral establishments, crematories, etc., write to:

Sherri Douglass
Executive Director
WV Board of Funeral Service Examiners
179 Summers Street, Suite 305
Charleston, WV 25301
wvfuneralboard@msn.com

WANT AN EASY WAY TO ANSWER YOUR QUESTIONS OR GET FORMS?

Go on the internet to www.wvfuneralboard.com. Our new web site can provide you assistance with most of your questions. This is especially helpful during non-business hours. We encourage you to use the web site regularly as a one-stop source for state and federal regulations, as well as general licensing questions.

NEED A COPY OF THE NEW LAW?

To order a copy of the current "West Virginia Funeral Service Examiners Act" and its corresponding rules, please send a self-addressed stamped envelope and *\$6.00 to the address listed above.

*Laws: \$5.00 plus \$1.00 shipping



Let us know how we stack up.
We'd love to hear from you.

STATE OF WEST VIRGINIA
BOARD OF FUNERAL SERVICE EXAMINERS
179 Summers Street, Suite 305
Charleston, WV 25301
(304)558-0302 Voice (304)558-0660 Fax
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web site: www.wvfuneralboard.com

Board Members

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