

Responses to Survey - Board of Funeral Service

Total responses:*3

Highest Compliment	<i>None</i> - 2 Other: Recent actions of the board were appropriate and seem to understand the conflict of interest concerns and protection from competition referenced under biggest complaint.			
Biggest Complaint	<i>Licensing fees too high</i> - 1 <i>Lack of Information</i> - 1 <i>Regulations too strict</i> - 1 <i>None</i> - Other: The board seems to act as a vehicle for protecting morticians from competition -- not to protect the public interest.			
Reasons the board is important: Other: The board should make certain that morticians are properly trained and crematory operators are properly licensed. Neither should control what the other can do, however.				
Public Health -	Public Welfare -	Public Safety -	All or combination -	None of these - 3
Scope of Practice:	Too Narrow - 2	Too Broad		Just Right -
Problems with other professions' scope of practice? No - 3				
<p>What laws/regulations have caused the most problems? --The Board has developed an attitude of protection of its members at all costs. The Board does not review or process information that it demands of its licensees. The Board does not respond to requests in writing made to the Board.</p> <p>--The funeral board would not permit the crematory operators of the state to pick up bodies, do death certificates, collect information, and prepare obituaries although their rules are sufficiently uncertain at this time that they really cannot control (nor should they) such items. Our business has had complaints made by the local morticians (including the Board Chairman, Brown) and when the board's own legal counsel cautioned them that the complaints should be dismissed, they failed to do so until recent members finally acted immediately and dismissed ALL pending complaints. My company has been forced to expend over \$25,000 in defending these complaints. Not a single one of them was found to have merit.</p> <p>--No particular regulation, but the fact that the Board is controlled by morticians makes it possible for actions as set forth above to occur. The control of crematories and mortuaries need to be devised in such a way that neither entity can unreasonably control the other form of business. At one time the board members were considering refusing permission for crematory operators to remove pacemakers from bodies although statutes REQUIRE this. [37-19-705] As a safety issue the crematory operator MUST be certain that such explosive implants are removed from the body to be cremated. Such implants have been known to destroy cremation retorts and to kill operators. At this time the funeral board requires NO training of crematory operators. We demand full training.</p>				
<p>Other comments: Our greatest problem stems from the laws that seem to place the mortician in full charge of the entire death industry even though most of what is done does not require mortician training and has nothing to do with the art of embalming, etc.</p> <p>--One of the local morticians held a body until certain payments were made to him notwithstanding the fact that the decedent had informed him that he (the local mortician) was not to be involved in his case. The mortician convinced the surviving family that only a mortician could remove the body, etc. They went along with him and he then would not relinquish the body until TWICE the normal recovery fee was paid. The funeral board would not even send this case to the screening committee.</p>				
Nonlicensee comments**	Saying Board of Funeral Home Service Necessary for Public Health - 51, Public Safety - 34, Public Welfare - 40 All - 20			

*as of 10/3/2011 **Note: About 24 marked importance for all boards in one or more categories, indicating general licensure approval.

All 3 respondents had been before a screening panel. One s currently awaiting adjudication by the screening panel regarding a complaint filed by a competitor's business. The other two had seen complaints dismissed. One noted: about 12 complaints were filed; all were dismissed; legal counsel for the board recommended dismissal but the board refused to do so until recently. Chairman of the Board participated even though he was a complainant. In response to a question of what the board should have done, this respondent said: Common decency would have at least indicated the matter should have been looked into.