



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

**PUBLIC WORKSHOP TO DISCUSS MATTERS REGARDING
CHAPTER 497, FLORIDA STATUTES – NOVEMBER 28, 2018**

AGENDA

Location: Hillsborough County Center
Board Room, 2nd Floor
601 E Kennedy Boulevard
Tampa, Florida 33602

Date: Wednesday, November 28, 2018

Time: 10:00 a.m. – 3:00 p.m.

Facilitators: Meredith Stanfield, Director of Legislative Affairs
Mary Schwantes, Division Director - Division of Funeral, Cemetery, and Consumer Services

AGENDA ITEMS

I. WELCOME/INTRODUCTION

Purpose of meeting: to obtain input from industry representatives on potential legislative issues relating to the death care industry and/or chapter 497, Florida Statutes

II. INPUT REGARDING ADDITIONAL TOPICS FOR OPEN DISCUSSION

- a. Review of input received via written comments –
Please note: there was no Department request or deadline for written comments for this public workshop. Any comments received prior to the publication of this Agenda have been published with the Agenda. If the received comments were on new topics, they are included as an open topic under this Item II. If comments were received on already open topics, then discussion will be held under Item IV below.
- b. Alternative preneed contracts – additional issues/proposed language raised by Bill Williams/Funeral Services, Inc.

III. TOPICS FOR OPEN DISCUSSION – NEW TOPICS

IV. TOPICS FOR OPEN DISCUSSION – FURTHER DISCUSSION OF PRIOR TOPICS

- a. Direct Disposer issues
 - i. Viewings
 1. Charge or no charge
 2. Possibility of permitting/clarifying that a direct disposer establishment may have a witness cremation
 3. Identification viewings
 - ii. Requirement of having Funeral Director in Charge at direct disposer establishments
 - iii. Exam fee disparity
 - iv. Requirement for licensure

- b. Cremation issues
 - i. Alkaline hydrolysis
 - ii. Licensing cinerator operators
 - iii. Problems when there is a) no family to authorize cremation, b) abandonment, or c) deceased was indigent
- c. Unlicensed activities
 - i. Authority to Investigate/Pursue
 - ii. Penalties
- d. Funeral Director in Charge
 - i. Location requirements
 - ii. Other burdensome restrictions
- e. Body donations
- f. Cemetery issues
 - i. Unlicensed cemeteries
 - ii. Handling of consumer complaints on unlicensed cemeteries
 - iii. Exempt cemetery standards
 - iv. Report of identification of exempt cemeteries – clarification needed
- g. Statutory clean-up issues
 - i. Reorganization of chapter to combine common requirements/statutory provisions currently located in the various sections on different licensees into one statute in the general section
 - ii. Clarification of section 497.002, Florida Statutes (purpose and intent provision) to add all licensee types to the list of those requiring regulation
 - iii. Clarification of definitions contained in section 497.005, Florida Statutes
 - iv. Elimination of all references to HIV course requirements
 - v. Add distinction between partnership and an LLC in section 497.141, Florida Statutes, which currently only distinguishes between a corporation and an LLC
 - vi. Relocate section 497.166, Florida Statutes, which is contained in the general provisions, to the section pertaining to preneed sales
 - vii. Other minor clean-up issues
- h. Licensing issues
 - i. Criminal background issues involving licensing
 - ii. Opportunities to streamline endorsement applications and eliminate the cap on transfer fees
- i. Internships
 - i. Permitting students to begin internships while still in school for combination funeral director/embalmer interns
- j. Publication of location of memorial service in death notice
 - i. Permitting location of memorial service to be published regardless of whether the disposition is completed by a direct disposer or by a funeral home
- k. Authorization issues
- l. Preneed issues
 - i. Modification of statutes regarding preneed contracts
 - ii. Limited license for insurance funded preneed
 - iii. Merchandise trusting
- m. Monument issues
 - i. Uniformity of written monument sales agreements for funeral homes and cemeteries, both pre-need and at-need
 - ii. Development and adoption of new rule regarding “minimum standards for access to all cemeteries” as is required by section 497.555, F.S.
- n. Elimination of Bodies Handled Reports

V. ADJOURNMENT