

**FLORIDA DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF THE CHIEF FINANCIAL OFFICER
Chief Financial Officer Directive 2020-12**

WHEREAS, on March 1, 2020, the Governor issued Executive Order 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, the Governor issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19, and granting each state agency the power to suspend provisions of regulatory statues and rules if strict compliance with such statute or rule would in any way prevent, hinder or delay necessary action in coping with the emergency; and

WHEREAS, On July 7th, 2020, the Governor extended and reaffirmed Executive Order 20-52.

WHEREAS, positive cases of COVID-19 continue to rise in Florida and COVID-19 continues to pose a risk to the entire state of Florida; and

WHEREAS, the funeral service industry, subject to Chapter 497, Florida Statutes, and regulated by the Division of Funeral, Cemetery, and Consumer Services, and the Board of Funeral, Cemetery, and Consumer Services, provides essential services to care for those who have lost their lives to COVID-19 and their families, and to slow the spread of COVID-19 in the state of Florida; and

WHEREAS, burials, memorials, and other funeral services are essential services that continue to be held in the state of Florida, and

WHEREAS, CFO Directive 2020-08, issued on April 22, 2020, in relevant part granted the Division of Funeral, Cemetery, and Consumer Services authority to approve limited licenses for retired professionals who were once licensed, in any state, as a funeral director, embalmer, combined funeral director and embalmer, or direct disposer during this time of critical need, as provided in section 497.143, Florida Statutes, and

WHEREAS, the Public Health Emergency necessitates actions which will permit all trained and qualified professionals who are authorized by law to perform cremations, embalming, funerals, burials, and other services relating to the final disposition of dead human bodies to proceed with these services within the state of Florida; and

WHEREAS, relieving certain requirements of Florida licensure for individuals who are active, out-of-state licensed deathcare professionals to enable these individuals to perform services related to the final disposition of dead human bodies in Florida is desirable and necessary during the Public Health Emergency and is in the best interests of the citizens of the State.

NOW, THEREFORE, I, JIMMY PATRONIS, as Chief Financial Officer of Florida, by virtue of the authorities delegated to me by the Governor pursuant to his powers under Chapter 252, Florida Statutes, promulgate the following Directive to take immediate effect:

Section 1. I hereby suspend the provisions of sections 497.103(1)(j), Florida Statutes, 497.143, Florida Statutes, and rule 69K-25.004, Florida Administrative Code, as to any provisions which require licensing approval by the Board of Funeral, Cemetery, and Consumer Services in order to permit deathcare professionals who are currently licensed in other U.S. states to perform services in Florida with regard to the final disposition of dead human bodies. Funeral establishments, direct disposal establishments, and centralized embalming facilities licensed pursuant to Chapter 497, Florida Statutes, may utilize funeral directors and/or embalmers licensed

in any other state, provided these individuals are currently licensed in good standing and held such licensure in any state for a period totaling at least five years.

Section 2. Funeral directors and/or embalmers licensed in other states who practice in Florida shall practice without civil or criminal penalty related specifically to a lack of licensure in Florida, provided that such funeral directors and/or embalmers practice in Florida under the supervision of a facility which is licensed by the State of Florida pursuant to Chapter 497, Florida Statutes and that the funeral directors and/or embalmers adhere to the scope of practice limitations in Section 4 and make the certifications required by Section 5. The funeral establishment, direct disposal establishment, centralized embalming facility, and the funeral director in charge (FDIC) or direct disposer in charge (DDIC) of each establishment, shall be held responsible for any violations of Chapter 497, Florida Statutes, and/or Chapter 69K, Florida Administrative Code, committed by a utilized funeral director and/or embalmer who is licensed in another U.S. state, but practicing in the state of Florida as authorized by this Directive.

Section 3. Additionally, in order to perform services relating to the final disposition of dead human bodies in Florida, funeral directors and/or embalmers licensed in other U.S. states being utilized pursuant to this Directive must be under the supervision of an individual funeral director and/or embalmer licensed by the State of Florida pursuant to Chapter 497, Florida Statutes.

Section 4. The duties of the funeral directors and/or embalmers utilized pursuant to this Directive shall be limited to the following:

- a. Making funeral arrangements;
- b. Signing arrangement forms, contracts and, in the case of funeral directors, death certificates;
- c. Selling at-need funeral goods and services;
- d. Overseeing the final disposition of dead human bodies;

- e. Conducting services; and,
- f. Embalming bodies (if the out-of-state issued license allows).

Section 5. Florida establishments licensed pursuant to Chapter 497, Florida Statutes, will make and maintain a separate, hard-copy record of each funeral director and/or embalmer utilized pursuant to this Directive. For each funeral director and/or embalmer utilized pursuant to this Directive, the information recorded is to include the following:

- a. name, address, and Florida license number of the Florida licensed establishment utilizing the out-of-state funeral director and/or embalmer
- b. current out-of-state license number for the funeral director and/or embalmer and type of licensure (i.e., funeral director, embalmer, or combination funeral director and embalmer license)
- c. affirmation that the funeral director and/or embalmer's out-of-state license is currently in good standing
- d. affirmation that the funeral director and/or embalmer has been licensed in any other United States jurisdiction for a period totaling at least five years.
- e. current home/out-of-state address and contact information for the funeral director and/or embalmer
- f. the printed name and license number of the Florida licensed funeral director and/or embalmer supervising the out-of-state funeral director and/or embalmer
- g. the signature of the Florida licensed funeral director and/or embalmer who is supervising the out-of-state funeral director and/or embalmer
- h. the date the record was signed
- i. the beginning and ending dates for which the out-of-state funeral director and/or embalmer served at the Florida establishment

A single document is to be generated to record this information for each funeral director and/or embalmer utilized pursuant to this Directive, and all such documents are to be maintained at the

business premises of the Florida licensed establishment or facility for inspection by staff of the Division of Funeral, Cemetery, and Consumer Services.

Section 6. This Directive shall expire upon the expiration of Executive Order 20-52, including any extensions.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this ___ day of July, 2020


JIMMY PATRONIS, CHIEF FINANCIAL OFFICER