

FLORIDA DEPARTMENT OF FINANCIAL SERVICES
OFFICE OF THE CHIEF FINANCIAL OFFICER
Chief Financial Officer Directive 2020-08

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

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention ("CDC") issued the "15 Days to Slow the Spread" guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

WHEREAS, on March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and

WHEREAS, on March 20, 2020, the Governor issued Executive Order 20-72, limiting non-essential elective medical procedures to conserve personal protective equipment ("PPE") which is necessary to be used in response to this emergency; and

WHEREAS, on April 1, 2020, the Governor issued Executive Order 20-91, directing all persons in Florida to limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities; and

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, the Public Health Emergency necessitates actions which will permit all trained and qualified professionals who are authorized by law to perform cremations of dead human bodies to proceed with such cremations prior to the expiration of 48 hours after the death of such body; and

WHEREAS, relieving the requirement for a cremation to occur no sooner than 48 hours after the death of an individual is desirable and necessary during the Public Health Emergency and is in the best interests of the citizens of the State; and

WHEREAS, Section 497.103(8), Florida Statutes, authorizes licensing authorities to temporarily waive any provision of Chapter 497, Florida Statutes, during a state of emergency declared pursuant to Section 252.36, Florida Statutes.

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

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 Executive Order to take immediate effect:

Section 1. I hereby suspend the provisions of Section 872.03, Florida Statutes, that prohibit any person, firm, or corporation from cremating any dead human body prior to the expiration of 48 hours after the death of such human body.

Section 2. I hereby suspend any provisions in rules 69K-21.003 and 69K-23.004, Florida Administrative Code, requiring that a funeral establishment or direct disposal facility only use the cremation, refrigeration, embalming, or removal services that are less than 75 miles away, such that there is no mileage limitation, so long as the cremation, refrigeration, embalming or removal service is licensed pursuant to Chapter 497, Florida Statutes.

Section 3. 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 approval by the Board of Funeral, Cemetery, and Consumer Services in order to issue limited licensure to retired professionals. The Division of Funeral, Cemetery, and Consumer Services is hereby vested with the 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 s. 497.143, Florida Statutes. Provided, such retired professionals held such licensure in any state for a period of five years or more.

Section 4. This Executive Order shall expire upon the expiration of Executive Order 20-52, including any extensions thereof.



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 22nd day of April, 2020

A handwritten signature in blue ink that reads 'Jimmy Patronis'. The signature is written in a cursive, flowing style.

JIMMY PATRONIS, CHIEF FINANCIAL OFFICER