

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency Alabama Board of Funeral Service
Rule No. 395-X-6-.01
Rule Title: Preparation Room
_____ New X Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

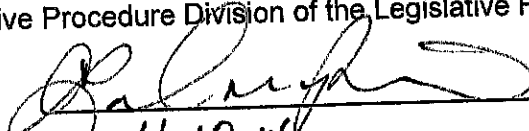
If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer

Date


4-18-14

(DATE FILED)
(STAMP)

Alabama Board of Funeral Service

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-6-.01 Preparation Room
395-X-6-.02 Display or Selection Room
395-X-6-.09 Inspection Penalties (New Rule)

INTENDED ACTION: The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-6-.01 and Rule No. 395-X-6-.02. The Alabama Board of Funeral Service also proposes to add a new rule as Rule No. 395-X-6-.09 titled “ Inspection Penalties” .

SUBSTANCE OF PROPOSED ACTION: The Board proposes to add language to Rule No. 395-X-6-.01 establishing the requirements for a funeral establishment where there will be no embalming of human remains because embalming will be taken place at a centralized embalming facility in accordance with new statutory requirements. The Board proposes to add language in Rule No. 395-X-6-.02 requiring caskets in the selection or display room to be priced in accordance with new statutory requirements. The Board proposes to add a new rule as Rule No. 395-X-6-.09 titled “ Inspection Penalties” listing the penalties and procedure for handling minor inspection violations for an establishment.

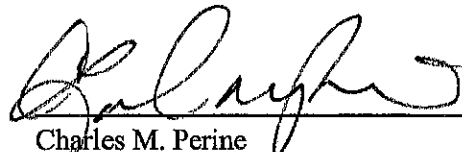
TIME, PLACE, MANNER OF PRESENTING VIEWS: Written, verbal or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Wednesday, June 4, 2014
Place: 11 South Union Street Suite 106, Montgomery, AL 36104
Email: Charles.perine@fsb.alabama.gov
Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, June 4, 2014

CONTACT PERSON AT AGENCY:

Charles M. Perine
Executive Secretary
11 South Union Street
Suite 106
Montgomery, AL 36104



Charles M. Perine
Executive Secretary
Alabama Board of Funeral Service

Alabama Board of Funeral Service
ADMINISTRATIVE CODE

CHAPTER 395-X-6
FUNERAL ESTABLISHMENT REQUIREMENTS

TABLE OF CONTENTS

395-X-6-.01 Preparation Room
395-X-6-.02 Display or Selection Room
395-X-6-.03 Rest Rooms
395-X-6-.04 General Interior
395-X-6-.05 General Exterior
395-X-6-.06 Embalming Records
395-X-6-.07 Identification of Dead Human Bodies
395-X-6-.08 Mortuary Services
395-X-6-.09 Inspection Penalties

395-X-6-.01 Preparation Room.

(a). The preparation room of a funeral establishment shall have at least:

1. One approved embalming table,
2. Operating embalming equipment,
3. All professional instruments necessary for embalming and the preparation of dead human bodies.
4. The walls and floors shall be non-porous for easy cleaning.
5. The preparation room shall be equipped with hot and cold running water,
6. A ventilation fan,
7. Container or receptacles for soiled linen, or clothing, and waste disposal,
8. Devices for proper drainage and waste disposal.

~~All contents or items shall be kept clean of blood when not in use and at no time will the preparation room be used as a storage area.~~

(b). A funeral establishment, that has more than one location, is not required to maintain more than one preparation room. The funeral establishment shall maintain on the premises a holding room which shall be adequately equipped for the holding and storage of dead human bodies. The holding room shall meet the following requirements:

1. The establishment must be under the same ownership and be within a 20 miles radius in the same county or a 10 mile radius in the adjacent county of the centralized embalming facility.
2. The walls and floors shall be non-porous for easy cleaning.
3. The holding room shall be equipped with hot and cold running water,
4. The holding room shall be equipped with an aspirator, trocar, nasal tube aspirator, aspirating hoses, and adequate drainage.
5. Container or receptacles for soiled linen, or clothing, and waste disposal,
6. The lighting shall be adequate.

(c). All contents or items shall be kept clean of blood when not in use and at no time shall the preparation room or holding room be used as a storage area.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-13-113, 34-13-151.

History: Filed July 31, 1984. **Amended:** Filed January 30, 2012; effective March 5, 2012.

Amended: Filed April 18, 2014