

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: ALABAMA BOARD OF FUNERAL SERVICE
Rule No.: 395-X-6-.08

Rule Title: Mortuary Services

X New _____ 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 11/17/11

(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-.08 Mortuary Services

INTENDED ACTION: The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-6-.01, Rule No. 395-X-6-.02, and add a New Rule No. 395-X-6-.08

SUBSTANCE OF PROPOSED ACTION: The Board proposes to correct the language regarding preparation rooms, give specific requirements for the display or selection room as it relate to the new statutory requirements, and state the requirements for mortuary service 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, January 4, 2012
Place: 11 South Union Street, Montgomery, AL 36104
Email: Charles.perine@fsb.alabama.gov
Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, January 4, 2012

CONTACT PERSON AT AGENCY:

Charles M. Perine
Associate Executive Secretary
11 South Union Street
Montgomery, AL 366104
(334)242-4049


Charles M. Perine
Associate 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 Room
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 Remains
395-X-6-.08	<u>Mortuary Services</u>

395-X-6-.01 Preparation Room.

The preparation room of a funeral establishment shall have at least one approved embalming table, operating embalming equipment, and all professional instruments necessary for embalming and the preparation of dead human bodies. The walls and floors shall be ~~non-porous~~ non-porous for easy cleaning. The preparation room shall be equipped with hot and cold running water, a ventilation fan, container or receptacles for soiled linen or clothing, and 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.

Author: Charles M. Perine

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

History: Filed July 31, 1984.

Amended: November 17, 2011. Filed November 17, 2011.

395-X-6-.02 Display Or Selection Room.

Each establishment shall have a selection or display room for persons to view available funeral merchandise or supplies. In addition to statutory requirements the display room shall be clean and neatly arranged and shall ~~be stocked with a minimum of eight (8) adult caskets.~~ contain a sock of adult caskets and funeral supplies displayed in full size, cuts, photographs, or electronic images. At no time shall less than eight different adult full size caskets be on the premises.

Author: Charles M. Perine

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

History: Filed July 31, 1984.

Amend: November 17, 2011. Filed November 17, 2011

“New Rule”

395-X-6-.08 Mortuary Services.

Each Mortuary Service establishment shall meet and comply with all provisions section 395-X-6-.01, 395-X-6-.04, 395-X-6-.05, 395-X-6-.06 and 395-X-6-.07 of this chapter and Title 34, Chapter13, Code of Alabama 1975, relating to mortuary services.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, § 34-13-26, 34-13-113(C)

History: **New Rule** November 17, 2011. Filed November 17, 2011.