

Title 26 Chapter 021

(c) Funeral establishment.

(1) A person, partnership, association, or other organization desiring to operate a funeral establishment, shall apply, in writing, to the Director for a license. The applicant, if a corporation, partnership, association, or other organization, must have a manager or co-owner who is a licensed funeral director.

(2) The application for a license shall be sworn to by the individual, a partner, or a duly authorized officer of a corporation, and shall be on the form prescribed and furnished by the Director, and the applicant shall furnish such information as required by the Director by rule. The application shall be accompanied by a licensing fee.

Rules 3.6 – 3.9

3.6 FUNERAL ESTABLISHMENT LICENSE

Qualifications for a Funeral Establishment license are outlined in 26 V.S.A. § 1252

Applicants for a Funeral Establishment license shall:

1. present permits showing the building to be used (a) has a water supply and wastewater disposal as required by the Agency of Natural Resources and (b) has the approval of the state fire marshall, and
2. identify the funeral director to be responsible for the funeral establishment, and
3. pass an inspection of the establishment by the Board or its designee;

3.7 FUNERAL ESTABLISHMENT PREPARATION ROOM REQUIREMENTS

A funeral establishment, if used for embalming or preparation for final disposition, shall have a preparation room.

A. The preparation room shall have:

1. electrical service, an outside exhaust fan and hot and cold running water;
2. walls, floors, ceilings, operating tables, sinks, and other furnishings that can be kept clean and sanitary, cabinets for clean and sanitary storage of instruments and a basin for disinfecting instruments after use;
3. proper waste disposal and drainage facilities, including a covered receptacle for refuse, bandages, cotton and other waste materials which must be disposed of by burning or placing in a plastic bag according to guidelines provided by the Department of Health;
4. windows and lockable doors that obstruct public view into the room;

5. hydro or electric aspirators;
6. the following items: germicidal soap; paper towels and dispenser; viscera pail; embalming table (enamel or stainless steel); sanitary removal cot; clean sheets; at least one large rubber or plastic disaster pouch; a supply of fluids, powder, disinfectants, cotton, threads, cosmetics, hair and barber needs, and plastic or rubber goods such as stockings, pants and unionalls; and an adequate stock of regularly needed instruments and embalming supplies; and
7. eyewash station or an eyewash disposable kit conveniently located for emergency use.

In addition, the preparation room shall conform to other applicable local, state and federal requirements, including occupational safety and health regulations, Health Department rules, and public building requirements.

B. The funeral establishment license and all personnel licenses shall be displayed together in a conspicuous public area.

3.8 INSPECTIONS

The Board or the Office of Professional Regulation has the authority to inspect any funeral establishment, equipment, and records related to items 1 through 5 below, at any reasonable time, and the funeral director shall make such records available.

The Board or its designee will inspect for and verify the following:

1. the preparation room, casket display room (if the funeral establishment has a preparation or casket display room), chemical storage room or other areas used for conducting of funeral business to review for conformance to any statute or rule;
2. the motor vehicles used for removal of human remains;
3. working order of any required equipment;
4. records pertaining to prepaid funeral arrangements and forms used, regardless of the date contracts and forms were developed;
5. general price lists, casket price lists, vault lists, casket display books or catalogues, and other materials used in the sale of funeral arrangements and any information provided to consumers;

3.9 BRANCH LOCATIONS

Each location of a funeral establishment is subject to Board inspection. However, a location does not require a separate license or fee if there is no casket display room or preparation room. Copies of the principal funeral establishment license and all personnel licenses shall be displayed together in a conspicuous public area. Originals shall be displayed in the principal establishment.