

H 16 to 18

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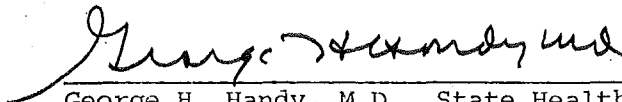
STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES )

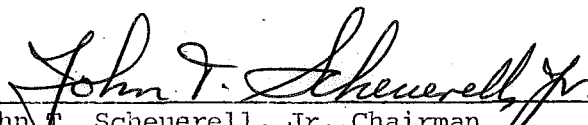
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George H. Handy, M.D., State Health Officer, of the Division of Health and custodian of the official records of said Division, do hereby certify that the amendments to rules and regulations, relating to funeral directors and embalmers and funeral directors' and embalmers' apprentices, were duly approved and adopted by this Division and the Funeral Directing and Embalming Examining Council on July 17, 1974.

I further certify that said copy has been compared by me with the original on file in this Division and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Division in the city of Madison, this 20th day of September A.D. 1974.

  
George H. Handy, M.D., State Health Officer

  
John T. Scheuerell, Jr., Chairman  
Funeral Directing & Embalming Council

ORDER OF THE STATE HEALTH OFFICER AND THE  
FUNERAL DIRECTING AND EMBALMING EXAMINING COUNCIL

Pursuant to authority vested in the State Health Officer and the Funeral Directing and Embalming Examining Council in Section 156.03(2)(a), Wis. Stats., and in accordance with Chapter 227, Wis. Stats., the following rules are hereby promulgated.

ORDER OF THE STATE HEALTH OFFICER AND THE  
FUNERAL DIRECTING AND EMBALMING EXAMINING COUNCIL

Pursuant to authority vested in the State Health Officer and the Funeral Directing and Embalming Examining Council in Section 156.03(2)(a), Wis. Stats., and in accordance with Chapter 227, Wis. Stats., the following rules are hereby promulgated.

Section H 16.01 of the Wis. Adm. Code is amended to read:

H 16.01 Examination applications. Applications for taking the examination for funeral director or embalmer must be on file at least thirty days before the date of the examination. The department may accept applications filed after the thirty day limit if the circumstances warrant such procedure.

Section H 16.02 of the Wis. Adm. Code is amended to read:

H 16.02 Special examinations. The state health officer may under exceptional conditions authorize one or more members of the examining council, together with the secretary of the council, to give a special examination for licensing funeral directors or embalmers. All funeral directors' or embalmers' licenses granted as a result of any special examination shall be valid only until the time of the next regular examination and the results of such examination are determined. Candidates for a license at a special examination will be required to take the next regular examination.

Section H 16.07 of the Wis. Adm. Code is amended to read:

H 16.07 Part time employment. Operators of funeral establishments employing licensees on a part time basis shall be required to have a contract in writing with the employer showing a bona fide employer-employee relationship and such agreement shall be available to the department.

Section H 16.08 of the Wis. Adm. Code is amended to read:

H 16.08 Discharge of apprentice. Whenever any licensed funeral director or embalmer discharges an apprentice he shall within five days notify the department, giving the name of the apprentice, his address and the date of his discharge.

Section H 16.10 of the Wis. Adm. Code is amended to read:

H 16.10 Examining council. Whenever a vacancy shall occur on the examining council, the executive committee of the wisconsin funeral directors' and embalmers' association shall submit to the department a list of nine names from which the department may select individuals to fill the vacant positions on the council.

Section H 16.11 (1)(2) of the Wis. Adm. Code are amended to read:

H 16.11 Proof of academic training. (1) The following shall be accepted by the department as proof that the academic training requirements of section 156.095 (1) (a), Wis. Stats., concerning registration as an apprentice funeral director or embalmer have been met: A signed statement by the registrar of any college or university recognized by the north central association of colleges and secondary schools that the applicant has successfully completed one academic year of instruction in said college or university or has an equivalent education which will permit admission to such college or university with sophomore status.

(2) The following shall be accepted by the department as proof that the academic training requirements of section 156.045 (1) (d), Wis. Stats., concerning requirements for a funeral director's or an embalmer's license have been met: A signed statement by the registrar of any college or university recognized by the north central association of colleges and secondary schools that the applicant has successfully completed two academic years of instruction in said college or university or has an equivalent education which will permit admission to such college or university with junior status.

Sections H 16.13 (1)(a)(b)(2)(a)(b)(c)(d)(3)(4)(5)(6) of the Wis. Adm. Code are created to read:

H 16.13 Business practices. (1) (a) Each funeral establishment which has a casket selection room shall have a card or brochure in each casket stating the price of the service using said casket and listing the services and other merchandise included in the price. Such card shall also contain a statement that the separate price of the casket and other merchandise, facilities, equipment, and personal service will be provided upon request. Where there are separate prices for the casket, personal

services, the use of facilities and the use of equipment, such card shall indicate the price of each such item; only the price of the casket need be displayed in the casket if the other separately priced items are given in writing prior to selection of the casket.

(b) When another casket selection room is used (such as a casket manufacturer, distributor or other funeral establishment) the funeral service licensee in charge of making the funeral selection is responsible to see that the cards or brochures required by paragraph (1) (a) are placed in these caskets prior to the selection.

(2) At the time tentative funeral arrangements are completed and the casket is selected, but prior to the time of rendering the service and/or providing the casket and/or merchandise and before final agreement is reached between the consumer and the funeral director, the funeral director shall give or cause to be given to the person or persons making such arrangements a written disclosure showing.

(a) The price of the service that the family has selected and what services are included therein.

(b) The price of each of the supplemental items of service and/or merchandise requested.

(c) The amount involved for each of the items for which the funeral director will advance monies as an accomodation to the family, insofar as any of the above items can be specified at that time.

(d) The proposed method of payment.

When after reviewing the written disclosure and making the casket selection and both parties agree to the final arrangements, a copy of the disclosure must be signed by the funeral director and the signed copy, given to the consumer. It is recommended that the persons making the arrangements also sign the disclosure to show approval of the arrangements.

(3) Each funeral establishment should offer a broad range of personal services, caskets, merchandise, and prices consistent with the needs and desires of the families in the community. Records documenting the method or methods used in determining

these needs and desires shall be available for review by the department.

(4) An appropriate adjustment or allowance for merchandise not provided or services not rendered shall be made. Records documenting the method or methods used in determining these allowances shall be available for review by the department.

(5) No funeral establishment shall bill or cause to be billed any item that is referred as a "cash advanced" item unless the net amount paid for such item or items by the funeral establishment is the same as is billed by the establishment.

(6) Each funeral director shall inform the person or persons making arrangements where the remains are to be cremated, without the traditional funeral, of the following: Wisconsin law does not require that human remains be placed in a casket at the time of cremation. However, crematories may require that human remains intended for cremation be placed in a container that insures protection to the health and safety of the persons handling the remains, provides a proper covering for the remains and is composed of suitable materials that when burned would not endanger the health of the public.

Sections H 16.14 (1)(2)(3) of the Wis. Adm. Code are created to read:

H 16.14 Business telephone listings and advertising. (1) Every licensed funeral establishment shall have listed and in working order at its registered address a business telephone, the number of which shall be indicated as the business telephone number. Any other telephone number for the firm shall be specifically designated as residence telephone number, number to call if no answer or otherwise identified.

(2) Each funeral establishment shall insure that only true funeral establishment names and addresses as registered with the department shall appear in telephone listings or other publications and in advertising by any media whatsoever. However, different sequences of individual names which comprise the true establishment name may be used.

(3) If the names or pictures of unlicensed persons are used in any form of advertising for a funeral establishment, such advertisement must distinguish between the Wisconsin licensed funeral director and embalmer and the non licensed personnel.

Section H 17.06 (4) of the Wis. Adm. Code is amended to read:

H 17.06 Private funerals. (4) During periods of epidemic, diseases of any nature found sufficiently malignant to justify private funerals and in the case of death from unusual forms of virulent disease, apparently communicable in nature, the local board of health with the consent of the department may prohibit public funerals of those dead from such diseases.

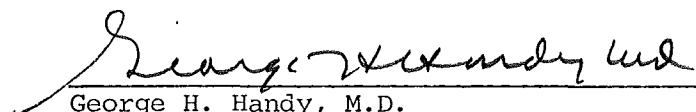
Section H 17.15 of the Wis. Adm. Code is amended to read:

H 17.15 Reporting delay of death certificate. Funeral directors are requested to report to the department at once any unnecessary delay in having the medical certificate of the cause of death properly filled out.

Section H 18.01 (1) of the Wis. Adm. Code is amended to read:

H 18.01 Burial-transit permit. (1) A burial-transit permit issued by any local registrar shall be required for each dead body transported by common carrier. Said burial-transit permit shall be in the form prescribed by the department and shall agree, in the main, with the burial-transit permit form recommended by the association of state and territorial health officials and the association of state registration executives.

The rules contained herein shall take effect as provided in Section 227.026(1), Wis. Stats., subject to the provisions of Section 14.06, Wis. Stats.

  
George H. Handy, M.D.  
State Health Officer

September 20, 1974

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