

4717-1-01

Definitions.

As used in this chapter of the board of embalmers and funeral directors:

(A)

(1) "Actually in charge," as used in this chapter and the rules of the board with regard to a funeral home license, means a licensed funeral director who has decision making authority over the funeral home, including, but not limited to, hiring employees, disciplining employees, and making managerial decisions regarding daily operations.

(2) "Actually in charge," as used in this chapter and the rules of the board with regard to an embalming facility, means a licensed embalmer who has decision making authority over the embalming facility, including, but not limited to, hiring employees, disciplining employees, and making managerial decisions regarding daily operations.

(B) "Apprenticeship credit time" means the actual days of credit of apprenticeship properly certified to the board and approved by the board as having been satisfactorily served.

(C) "Board" means the board of embalmers and funeral directors.

(D) The "business or profession of directing or supervising funerals for profit," means the removal of the body of the deceased and the preparation of the body for final disposition; obtaining necessary permits; filing death certificates and other necessary forms; recording of vital statistics; preparation of necessary notices; making of funeral arrangements; the selling or soliciting of funeral service; coordinating and directing the ceremony or funeral service; and directing the final ceremony or service at the cemetery, crematory, mausoleum, etc. Provided, however that such directing does not conflict with the administrative or operational authority of the cemetery operator at the cemetery, crematory, mausoleum, etc., and that the cemetery operator who arranges for the final disposition at the cemetery, crematory or mausoleum has not engaged in the business or profession of directing or supervising funerals for profit.

(E) "Embalmer's apprentice" means an individual who has successfully registered with the board, ~~successfully passed the embalmer's examination~~ and has been certified as an apprentice to the board by a master embalmer.

(F) "Fixed place" shall mean a physical structure, having a united states post office street, avenue, or road address.

(G) "Full service funeral" includes a viewing or visitation and formal funeral service, transportation of the body to the funeral site and cemetery, and burial, entombment or cremation of the remains.

~~(G)~~(H) "Full time" as used herein is a minimum of an eight-hour workday or a minimum of a forty-hour workweek. The compensation from which represents the employee's primary source of income and benefits, with the hours to be between nine a.m. and nine p.m. each day in a funeral home properly licensed by the board.

~~(H)~~(I) "Funeral arranging" or "the process of making funeral arrangements means" the process whereby the funeral director who in good faith meets with the person or persons who arrange for the services or final disposition of a dead human body to determine method of final disposition, the services and total cost, and to provide the person making arrangements with a written statement of price disclosures at the conclusion of arrangements; provided, however, that a cemetery operator who meets with the person or persons to arrange the final disposition or method of final disposition is not "funeral arranging" or performing the "process of making funeral arrangements."

~~(J)~~(J) "Funeral director apprentice" means an individual who has successfully registered with the board and has been certified as an apprentice to the board by a master funeral director.

~~(J)~~(K) "Holding room" means the area in a funeral home, crematory facility, or embalming facility exclusively used for the preparation (other than embalming) and holding of dead human bodies for burial or final disposition.

~~(K)~~(L) "Hour of educational programs" means a clock hour spent by a licensee in actual attendance at and completion of an approved continuing education activity.

~~(L)~~(M) "Licensee" means an individual who is licensed by the board of embalmers and funeral directors as an embalmer or a funeral director.

~~(M)~~(N) "Manager," as used in the rules of the board, means a full-time person having direct and immediate direction or control of a funeral home, establishment or branch thereof.

~~(N)~~(O) "Master or master embalmer" means an ~~employed or self-employed~~ Ohio licensed embalmer with at least five years of experience in the state of Ohio, who has, at the beginning of an apprenticeship on or after July 1, 2006, successfully completed a training and/or mentoring program for masters, approved by the board, of at least six hours within the past five years, and who is employed or self-employed full

time at any one funeral home or embalming facility, whose principal occupation is that of embalming and who certifies to the board as the supervisor of training of an embalmer's apprentice.

~~(O)~~(P) "Master or master funeral director" means an ~~employed or self-employed~~ Ohio licensed funeral director with at least five years experience in the state of Ohio who has, at the beginning of an apprenticeship on or after July 1, 2006, successfully completed a training and/or mentoring program for masters, approved by the board, of at least six hours within the past five years, and who is employed or self-employed full time at one funeral home, whose principal occupation is that of funeral directing and who certifies to the board as the supervisor of training of a funeral director's apprentice.

~~(P)~~(Q) "Preparation room" or "embalming room" means the area in a funeral home or embalming facility exclusively used for the care and preparation of dead human bodies for burial or final disposition.

~~(O)~~(R) "President" means the president of the board of embalmers and funeral directors.

~~(R)~~(S) "Secretary-treasurer" means the secretary-treasurer of the board of embalmers and funeral directors.

~~(S)~~(T) "Trade embalmer" means an embalmer who does embalming for a licensed funeral home by contract or other agreement.

~~(F)~~(U) "Ultimately responsible," a funeral director shall be deemed ultimately responsible for the funeral home, as that term is used in this chapter and the rules of the board, if the funeral home license is held in the funeral director's name and the funeral director has signed the funeral home license application.

Effective: 11/10/2005

R.C. 119.032 review dates: 08/26/2005 and 06/22/2010

CERTIFIED ELECTRONICALLY

Certification

10/31/2005

Date

Promulgated Under: 119.03
Statutory Authority: R.C. 4717.04
Rule Amplifies: R.C. 4717.01, R.C. 4717.04
Prior Effective Dates: 12/31/71, 3/12/79, 8/1/81, 1/1/84, 7/1/87, 1/1/88,
1/1/01