

4717-1-01

Definitions.

For purposes of agency 4717 of the Administrative Code, the following definitions shall apply in addition to all definitions in section 4717.01 of the Revised Code:

(A) "Abandoned application" means an application for a license or permit as an apprenticeship, embalmer, funeral director, funeral home, crematory, or crematory operator where the applicant fails to complete all application requirements within sixty days after being notified by the board. An applicant forfeits all fees associated with an abandoned application. The board shall not be required to act on any abandoned application and the application may be destroyed by board staff. If the application is abandoned, the applicant shall be required to reapply for licensure, submit the required fee and comply with the licensing requirements in effect at the time of reapplication.

~~(A)~~(B) "Actually in charge," as used 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.

"Actually in charge," as used 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.

"Actually in charge," as used with regard to a crematory facility, means a licensed crematory operator who has decision-making authority over the crematory facility, including, but not limited to, hiring employees, disciplining employees, and making managerial decisions regarding daily operations.

~~(B)~~(C) "Apprenticeship credit time" means the actual hours of credit of apprenticeship properly certified to the board by the master embalmer and/or master funeral director and approved by the board as having been satisfactorily served.

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

~~(D)~~(E) "Business or profession of directing or supervising funerals for profit", means 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; or directing the final ceremony or service at the cemetery, crematory, mausoleum, or any other place for the final disposition of a dead human body. Provided, however, that such directing does not conflict with the administrative or operational authority of the

cemetery operator at the cemetery, crematory, mausoleum, or other place for the final disposition of a dead human body, 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)~~(F) "Embalmer's apprentice" means an individual who has successfully ~~registered~~ certified with the board, and has been certified as an apprentice to the board by a master embalmer.

~~(F)~~(G) "Fixed place" means a physical structure, having a United States post office street, avenue, or road address.

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

~~(H) "Full time" with regard to apprenticeship credit time means a minimum of hours necessary to complete the requirements set forth in the "Funeral Directors or Embalmers Apprenticeship Task List."~~

~~"Full time" with regard to the licensure of funeral directors and embalmers and to the operation of a funeral home, embalming facility, or crematory facility means an average of forty hours a week.~~

(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~~ funeral goods and services 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) "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.

(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.

(L) "Licensee" means an individual or entity licensed by the board.

- (M) "~~Master or master~~ Master embalmer" means an embalmer with at least five years of experience in the state of Ohio; who has; successfully completed a training and/or mentoring program for ~~masters, master embalmers~~ masters, master embalmers approved by the board, of at least six hours which is still valid, 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.
- (N) "~~Master or master~~ Master funeral director" means a funeral director with at least five years of experience in the state of Ohio who has; successfully completed a training and/or mentoring program for ~~masters, master funeral directors~~ masters, master funeral directors approved by the board, of at least six hours which is still valid, 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.
- (O) "Preparation room" or "care center" 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.
- (P) "President" means the president of the board of embalmers and funeral directors
- (Q) "Record" means any document, either written or in electronic form, relating to the operation of a business of directing or supervising funerals for profit; or the operation of an embalming facility or a crematory facility.
- (R) "Secretary-treasurer" means the secretary-treasurer of the board.
- (S) "Trade embalmer" means an embalmer who does embalming for a licensed funeral home by contract or other agreement.
- (T) "Ultimately responsible" a funeral director shall be deemed ultimately responsible for the funeral home, if the funeral home license is held in the funeral director's name and the funeral director has signed the funeral home license application.
- (U) "Valid" means acceptable according to law or having legal efficacy or force
- (V) "Vice president" means the vice president of the board of embalmers and funeral directors
- (U) "~~Abandoned application~~" means ~~an application for a license or permit as an apprenticeship, embalmer, funeral director, funeral home, crematory, or crematory operator where the applicant fails to complete all application requirements within sixty days after being notified by the board. An applicant forfeits all fees associated~~

~~with an abandoned application. The board shall not be required to act on any abandoned application and the application may be destroyed by board staff. If the application is abandoned, the applicant shall be required to reapply for licensure, submit the required fee and comply with the licensing requirements in effect at the time of reapplication.~~

Effective:

Five Year Review (FYR) Dates: 5/17/2022

WITHDRAWN ELECTRONICALLY

Certification

05/20/2022

Date

Promulgated Under: 119.03
Statutory Authority: 4717.04
Rule Amplifies: 4717.04
Prior Effective Dates: 12/31/1971, 03/12/1979, 08/01/1981, 01/01/1984,
07/01/1987, 01/01/1988, 01/01/2001, 11/10/2005,
01/09/2007, 04/10/2011, 06/19/2017, 01/10/2019,
10/15/2020