



The State of Ohio Board of Embalmers and Funeral Directors
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Dear Stakeholder:

Please read this letter carefully as it contains important information regarding the crematory operator permit. The 132nd Ohio General Assembly passed House Bill 49 that included a provision creating the crematory operator permit and authorizing the Board to promulgate administrative rules for the permit. Pursuant to the mandate from the Bill, the Board drafted administrative rules outlining the educational requirements and licensing process to obtain a permit. The administrative rules for the crematory operator permit became effective on May 24, 2018.

The following is important information related to the crematory operator permit administrative rules, the educational requirements, and licensing.

Guidance Information

Q: What was the effective date for the statute creating the crematory operator permit?

A: Section 4717.051 of the Revised Code went into effect on September 29, 2017.

Q: When did the Board begin the drafting process for the administrative rules for the crematory operator permit?

A: The Board began its rulemaking and drafting process in October 2017.

Q: Was there a delay?

A: No, the administrative rulemaking process requires all rules to be reviewed and approved by two separate state agencies (Common Sense Initiative-CSI and Joint Committee on Agency Rule Review-JCARR), two stakeholder comment periods, two rule hearings, and final approval from the Legislative Service Commission (LSC).

Q: Where can I find the administrative rules for the crematory operator permit?

A: The administrative rules can be found on lawwriter at: <http://codes.ohio.gov/oac/4717-15>

Q: When will I need to have a crematory operator permit and when will the Board begin its enforcement?

A: A permit is required and the Board will begin its enforcement on January 1, 2019.

Q: When will the Board begin issuing crematory operator permits?

A: September 10, 2018.

Q: When does a permit expire?

A: The permit will follow the same biennial renewal/compliance period as the other licenses issued by the Board.

Q: How much does a permit cost?

A: The application fee for the permit is \$100.

Q: What do I need to obtain a permit?

A: The Board has provided a detailed explanation of the steps to obtain a crematory operator permit on its website. Please see "Announcements" and "Crematory Operator Permit Details" on the website at funeral.ohio.gov.

Q: Who is required to have a crematory operator permit?

A: Any individual that performs the duties leading up to the cremation, performance of the act of cremation (operation of the equipment), and duties completing the cremation process (recovery of remains from cremation chamber, processing or pulverization, and transfer of cremains to temporary container or urn). A detailed explanation of the scope of practice for a crematory operator permit holder is available on the Board's website. Please see "Announcements" and "Crematory Operator Permit Details" on the website.

Q: Can a crematory operator make arrangements for a cremation service?

A: No. The crematory operator permit **DOES NOT** authorize a permit holder to make arrangements for creation. Only licensed funeral directors are authorized to make arrangements under Ohio law.

Q: What type of education is required in order to apply for and obtain a permit?

A: Two forms of education are required: (1) an applicant must complete a Board approved crematory operation certification program; **and** (2) an applicant must complete a two hour course on laws and rules specific to crematory operation in Ohio.

Q: Are both types of education required?

A: Yes. The applicant must submit proof of completion of an active Board approved crematory operation certification program **and** submit proof of completion of a two hour course on laws and rules specific to crematory operation in Ohio. Most importantly, the laws and rules course is required at every renewal. Please see the explanation of the educational requirements on the Board's website at funeral.ohio.gov.

Q: I previously completed a crematory operation certification program. Am I now required to complete a new crematory operation certification program?

A: It depends. The Board drafted a grandfather provision covering Board approved programs completed on or after January 1, 2014 or evidence of expiration of a Board approved program within the last twenty-four months. An explanation of the provision can be found on the Board's website.

Q: What crematory operation certification programs are approved by the Board?

A: The Board has approved crematory operation certification programs hosted by (1) Cremation Association of North America (CANA), (2) International Cemetery, Cremation & Funeral Association (ICCFA), (3) Matthews Cremation Division, (4) National Funeral Directors Association (NFDA).

Q: Where can I find dates for crematory operation certification programs and laws and rules courses that are being offered?

A: Course offerings can be found under the continuing education tab on the Board's website.

Q: Where can I find out more information regarding the crematory operator permit?

A: <http://funeral.ohio.gov/Licensing/License-Applications/Crematory-Operator-Permit>

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