

The Colorado Funeral Directors Association (CFDA) asks for your support of HB 09-1202



Colorado is the *only* state in the United States and Canada that does *not* license or regulate funeral establishments or funeral service practitioners.

The funeral service profession and the funeral business has changed and evolved a great deal since 1982 when licensing for funeral directors was abolished in Colorado.

It is true that there are a number of regulations already on the books that oversee the funeral service business in Colorado. However, the existing regulations do not do enough to ensure the safety and welfare of consumers or the funeral service profession in Colorado. The existing regulations...

- **Do not recognize competencies or standards for funeral service providers.** Currently any person can hang out a shingle and go into the funeral business, regardless of prior experience, education or on-the-job training. Any person, regardless of their background or criminal history, may become a funeral service practitioner, potentially putting themselves and others at risk of health threats, emotional distress, and fraudulent activity.
- **Do not recognize basic standards of practice.** State laws do not include any requirement to maintain a sanitary prep room, employ universal biological hazard precautions, or to take reasonable care to minimize the risk of transmitting communicable diseases like Hepatitis, HIV or Creutzfeld-Jacob.
- **Offer few regulations that address cremation.** A growing segment of death care services across the country, nearly 60% of Colorado deaths are now handled by cremation. Existing regulations do nothing to ensure proper handling of a body before, during and after the cremation process. From necessary authorization by the next-of-kin, to methods for ensuring identity before and during the cremation process, nothing prevents multiple bodies (or even animals) from being cremated in the same chamber at the same time. No assurances to family members that the ashes they've received are really those of their mother, father or child.
- **No registry to monitor funeral establishments.** In fact, we don't even know the exact number of funeral related businesses operating in Colorado. When licensing was sunsetted in 1982, there were approximately 200 funeral directors practicing in Colorado. It is estimated that there are now more than 1,000 funeral service practitioners and more than 300 funeral-related establishments operating in Colorado – that includes funeral homes and mortuaries, embalming facilities, crematories, funeral arrangement firms, and removal/transport services.
- **There is no official entity in which to report concerns or file complaints** about funeral service. In recent years, CFDA has received a number of complaints and ethical improprieties reported from consumers about the mishandling of funeral cases. The increased complaints are supported by death rate statistics from the Colorado Department of Public Health and Environment. In 1982 when licensure was sunsetted, Colorado funeral directors served 19,683 families, as compared to 29,521 families in 2005. This shows a 50% increase in the death rate in Colorado over the past 25 years.

House Bill 1202 will:

- Require registration for all funeral establishments and crematories and provide information about the services they provide to consumers.
- Recognize standards of practice for embalming, cremation and transporting to protect the health and safety of the public and employees of funeral establishments.
- Require that funeral service practitioners maintain evidence of minimum education requirements, practical experience and employment in order to advertise or promote the services of a Mortuary Science Practitioner, Funeral Director, Embalmer or Cremationist.
- Creates a new section that specifically addresses cremation, including crematory registration and standards of practice for crematories.
- Provide a mechanism for consumers to address complaints.
- Initiates disciplinary action for establishments and crematories that violate regulations.

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