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## BOARD OF EMBALMERS AND FUNERAL DIRECTORS

- Exempts, from disclosure under Ohio Public Records Law, preneed funeral contracts, and contract terms and personally identifiable information of a preneed funeral contract, contained in mandatory reports submitted to the Board of Embalmers and Funeral Directors.

### **Preneed funeral contracts – public records exemption**

(R.C. 149.43)

The act exempts, from disclosure under Ohio Public Records Law, preneed funeral contracts, and contract terms and personally identifying information from a preneed funeral contract, that may be contained in a report submitted by or for a funeral home to the Board of Embalmers and Funeral Directors.

A preneed funeral contract is a written contract to provide funeral goods or services to be used in connection with the funeral or final disposition of a dead human body, entered into before the death of the purchaser or intended recipient of the goods or services.<sup>59</sup>

Several ongoing provisions of law require information about preneed funeral contracts to be submitted to the Board. First, a person who holds a funeral home license for a funeral business, after closing or before a change of ownership, must submit to the Board a clearly enumerated account of certain moneys owed to the business including moneys from preneed funeral contracts.<sup>60</sup> Second, every seller of preneed funeral contracts must provide an annual report of such sales to the Board.<sup>61</sup> Finally, to help the Board administer the preneed recovery fund, each funeral home licensee who sells a preneed funeral contract must submit to the Board certain information about each contract.<sup>62</sup>

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<sup>59</sup> R.C. 4717.01, not in the act.

<sup>60</sup> R.C. 4717.13, not in the act.

<sup>61</sup> R.C. 4717.31, not in the act.

<sup>62</sup> R.C. 4717.41, not in the act; O.A.C. 4717-14-07.