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## **BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

- Reestablishes the requirement that an individual obtain a crematory operator permit to perform cremations.
- Corrects an error in the law prohibiting unauthorized removal of items from a body before or after cremation.
- Requires the executive director of the Board of Embalmers and Funeral Directors to notify law enforcement of persons engaged in unlicensed funeral directing.

### **Cremations**

#### **Reinstate crematory operator permit**

(R.C. 4717.01, 4717.02, 4717.03, 4717.04, 4717.06, 4717.07, 4717.08, 4717.09, 4717.11, 4717.13, 4717.15, 4717.36, and 4717.41; Sections 2, 3, and 8 of H.B. 509 of the 134<sup>th</sup> G.A., amended in Sections 125.11 to 125.13)

The act reestablishes the requirement that an individual obtain a crematory operator permit in order to perform cremations in Ohio. H.B. 509 of the 134<sup>th</sup> General Assembly repealed the permit, effective December 31, 2024, and instead required that a crematory operator maintain, and file with the Board of Embalmers and Funeral Directors, an active certification from a national crematory operator certification program. The act reverses that future repeal and the associated national certification requirement. It extends application of prior law, requiring a prospective crematory operator to apply to the Board, submit an initial permit fee, prove that they are at least 18 years old, and provide evidence of completing a Board-approved crematory operation certification program.

#### **Removal of items before or after cremation**

(R.C. 4717.26)

Continuing law prohibits a crematory facility from removing dental gold, body parts, organs, or other items of value from a body before or after cremation, unless the removal is authorized by the cremation authorization form. The act corrects an error in the law by adding a missing word.

### **Funerals**

#### **Unlicensed funeral directing**

(R.C. 4717.04)

The act requires the Board's executive director to notify law enforcement if the executive director is aware of a person engaged in funeral directing without a license or in any place other than a licensed funeral home. Under former law, the executive director was required to investigate the alleged violation and, upon finding probable cause, direct an attorney under contract with the Board, a county prosecutor, or the Attorney General to prosecute the offender.

The act eliminates those duties and leaves the investigation and, if appropriate, referral for prosecution to local law enforcement.