

STATE BOARD OF FUNERAL DIRECTORS COMPLIANCE

On October 6, 2014, the United States Supreme Court denied the plaintiffs' petition for writ of certiorari in the matter of *Ernest F. Heffner, et al v. Donald J. Murphy, et al* and concluded several years of litigation during which a federal district court injunction precluded the State Board of Funeral Directors from enforcing certain provisions of the Funeral Directors Law. During the period of the federal injunction, the State Board of Funeral Directors was compelled to approve applications that the Funeral Directors Law would not have otherwise permitted. The conclusion of the federal litigation and the dissolution of the injunction mean that those funeral establishments whose applications would not have been approved in the absence of the injunction are no longer in compliance with the Funeral Directors Law.

During the injunction, which lasted from May 8, 2012 through March 27, 2014, the State Board of Funeral Directors was compelled to approve the following applications that the Funeral Directors Law does not permit:

- Supervisor to supervise multiple establishments;
- Establishment to operate without a preparation room;
- Main establishment to operate multiple branches.

The State Board of Funeral Directors recognizes returning to compliance with the Funeral Directors Law may present some difficulty. Therefore, if you were issued one or more of the above referenced licenses, the State Board of Funeral Directors is granting establishments whose applications were approved as a result of the federal injunction until February 1, 2016, to return to compliance with the Funeral Directors Law. The State Board of Funeral Directors will not renew affected licenses that have not returned to compliance with the Funeral Directors Law. Failure to comply with the requirements of the Funeral Directors Law may also result in disciplinary action.