

13958, (eff 7-5-24)

Readopt with amendment FrI 404, effective 3/21/2023 (Document #10548), to read as follows:

PART FrI 404 ONGOING REQUIREMENTS

FrI 404.01 Conducting of Funeral. No funeral director shall permit or request a person, who is not licensed as a funeral director or apprentice embalmer to arrange, prearrange, conduct, direct, or supervise a funeral.

FrI 404.02 Financial Disclosure.

(a) Every funeral establishment in this state or the funeral service licensee thereof shall give or cause to be given to the person or persons making funeral arrangements or arranging for the disposition of a dead human body a written statement of funeral goods and services selected.

(b) The written statement of funeral goods and services selected shall be given, at the time the funeral arrangements are completed and prior to the time of rendering the service and providing the merchandise except for the removal of the deceased from the place of death to the funeral home.

(c) The written statement of funeral goods and services selected shall, to the extent then known, include:

- (1) The price of the service(s) that the person or persons have selected and what is included therein;
- (2) The price of each of the supplemental items of service and merchandise requested; and
- (3) The amount involved for each of the items for which the firm will advance monies as an accommodation to the family.

(d) A statement of funeral goods and services selected shall be signed by the licensed funeral director making the arrangements with a copy given for retention to the financially responsible party(ies). Said signature shall be original in format. A copy of the signed statement shall be retained by the funeral establishment for 6 years and made available upon inspection of the funeral establishment.

(e) A statement of funeral goods and services selected shall include such other disclosure standards as found in 16 C.F.R. Section 453 of the Federal Trade Commission.

FrI 404.03 Entombment. When a body is entombed to await burial, the funeral establishment of record in charge of the burial, shall:

- (1) Label the casket to identify the body;
- (2) Embalm the body when it is to be entombed for 24 hours or more;
- (3) Take corrective action within 24 hours of becoming aware of any leakage or strong odor resulting from the entombed body including any procedure(s) that will prevent exposure to the public or any potential health hazard.

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APPENDIX I

| Rule | Specific State Statute the Rule Implements |
|-------------|---------------------------------------------------|
| Frl 404.01 | RSA 325:9, VII |
| Frl 404.02 | RSA 325:9, VII |
| Frl 404.03 | RSA 325:9, VII |