

# Alberta Funeral Services Regulatory Board

Annual Report for year ending  
March 31, 2015

## Mission Statement

To set and maintain the highest level of professional, ethical, and educational standards for funeral service

## Message from the Chair

On behalf of the Alberta Funeral Services Regulatory Board I am pleased to present the 2015 Annual Report. This Report covers information with regards to structure, process, and highlights from April 1<sup>st</sup>, 2014 to March 31<sup>st</sup>, 2015.

The Mandate of the AFSRB is to regulate funeral professions in the Province of Alberta. This process ensures that families having funeral services provided in Alberta receive professional, ethical service from the regulated members of the funeral profession.

It is mandatory that all funeral professionals who practice in Alberta are licensed. The Board deals with all of the licensed members respectfully and fairly with respect to funeral regulations.

The AFSRB continues to move forward the need for changes to the Act and Regulations that affect funeral service. Board members meet with government ministers to apprise them of the work that has been done and the need to make strategic changes to ensure the continued protection of the public while addressing the needs of the funeral profession.

The Board is also working at dealing with the need to protect the public and provide a strong workable pre-need platform that addresses the needs of the funeral professionals who must provide those services in a transparent and fair manner.

The support of all the staff at the AFSRB office has been and continues to be well above par. I believe all concerns that come through the office are dealt most fairly with regards to all parties involved.

J Cameron Davis, Chair  
April 1<sup>st</sup>, 2014 thru March 31<sup>st</sup>, 2015

## Background

The Alberta Funeral Services Regulatory Board was established December 1, 1992 under the following *legislation*:

*Licensing of Trades and Businesses Act*  
*Funeral Services Business Licensing Regulation (AR 360/92)*  
*Alberta Funeral Services Regulatory Board Regulation (AR 225/98).*

In 2002 – 2003 the Board was delegated responsibility for enforcing and administering the following *legislation*:

*Funeral Services Act*  
*Funeral Services Exemption Regulation*  
*Funeral Services General Regulation, and*  
*Crematory Regulation under the Cemeteries Act.*

The Board has six members. Three of the six members are elected by funeral services businesses to represent the interests of the funeral services industry and three members are appointed by the Minister of Service Alberta to represent the interests of the public. The Board held 8 meetings, 3 conference calls, 2 oral hearings, 2 written hearings and one appeal of a Board hearing decision from April 1, 2014 to March 31, 2015.

## 2014 – 2015 AFSRB Members

Cameron Davis - Board Chair, Media Representative

Christine Rapp - Vice Chair, Treasurer

Verna Rock - Education Committee

Dorothea Schaab - AFSA Liaison

Gemma Beierback - Education Committee

William Kostiw - Member at Large

## Board Staff

Administrator  
Board Inspector &  
Complaints Investigator  
Administrative Assistants

Marilyn McPherson  
Wayne Konner

Rosanna Dame  
Lorna Pagee

## Auditors

King & Company, Edmonton

## 2014 – 15 Report on Operations

The Alberta Funeral Services Regulatory Board administers legislation that promotes and enforces fair business practices designed to encourage consumer confidence in Alberta.

### Licensing

In 2014 the Alberta Funeral Services Regulatory Board licensed

- 163 funeral home locations,
- 50 crematories,
- 363 funeral director/embalmers,
- 175 funeral directors,
- 20 embalmers,
- 98 pre-need funeral salespeople.

### Appointment of Public Board Member William Kostiw

The Minister of Service Alberta, appointed William Kostiw to serve a three-year term of office as a public representative on the Board.

### Election of Funeral Business Member Dorothea Schaab

Dorothea Schaab was elected by Alberta funeral businesses to serve a three-year term of office as a funeral business representative on the Board.

### Public Awareness of the Alberta Funeral Services Regulatory Board

The Board provides funeral service information to consumers through our updated brochures: *Funeral Planning in Alberta* and *Consumer Information about Funerals*. Members of the public are given free copies of both brochures. The information in the *Funeral Planning in Alberta* brochure is also on our AFSRB website at [afsrb.ab.ca](http://afsrb.ab.ca)

### Website

The Board's website [afsrb.ab.ca](http://afsrb.ab.ca) enables Albertans to find the information they need to make informed decisions when they are planning or arranging a funeral. The website is continually updated to provide current information. All of the Board's licensing applications, trust reporting forms, complaint forms, inspection report forms can be downloaded from the website.

### Meetings

The Board held 8 meetings, 3 conference calls, 2 oral hearings, 2 written hearings and one appeal of a Board hearing decision from April 1, 2014 to March 31, 2015.

## Registers

Registers are maintained at the Board office showing:

- the name of each funeral director
- the name of each embalmer
- the name of each combined funeral director / embalmer
- the name of each pre-need salesperson
- the name of each funeral services business location
- the name of the business manager for each funeral business location
- the name of the business manager for each crematorium
- the name of each crematorium
- the status of each funeral business licence
- the status of each crematory licence
- the mailing address and location of all funeral businesses and crematoriums
- the continuing education status of all licensees

## Education

The Alberta Funeral Services Regulatory Board (AFSRB) introduced new continuing education requirements for all licensees.

Effective April 2016 every licensee must acquire 12 credits (12 hours) of continuing education every three years in order to maintain an active licence. Nine of the 12 credits will be of the licensee's choice and three will be determined by the AFSRB.

The AFSRB retains responsibility for ensuring licensees are current in their knowledge of legislation and funeral practices but the ownership for continuing education and professional development is shifted to the individual licensee.

## AFSRB Policy Motions

The Board passed the following policy motions in 2014 - 2015:

1. Only a licensed embalmer or embalmer trainee may be present in the preparation room of a funeral home during the embalming process. (April 10/14)
2. The Guidelines for Funeral Services Contracts are adopted as amended and included in the AFSRB Policy Manual. (June 12/14)

Note: The purpose of these guidelines is (1) to identify those provisions which must be in a funeral services contract (i.e. required by the legislation); (2) to identify those provisions which should not be included in a pre-need funeral services contract, since all goods and services listed on a funeral services contract must be guaranteed; and (3) to recommend additional provisions which may be included in a funeral services contract.

3. All new licensees must complete the required 12 hours of mandatory continuing education. (September 26/14)

4. If a candidate enrolled in the Canadian College of Funeral Service's on-line pre-need sales program withdraws from the program before completing any assignments, the on-line program may be assigned to another candidate from the sponsoring funeral business for an administration fee of \$50. If a candidate has completed any of the assignments, the on-line program may not be assigned to any other candidate. (November 21/14)
5. The AFSRB will accept credit card payment for licensing fees, education programs, examinations and consumer information brochures through Pivotal Payments (a credit card processing company). (November 21/14)
6. That the following Best Practice for Cremated Remains be added to the AFSRB Policy Manual. (January 9/15)

Best Practices for Cremated Remains

- The name or an abbreviation of the name of the funeral services business responsible for the cremation should be engraved on the metal fob that accompanies the cremated remains.
  - Cremated remains should be placed into a sturdy plastic bag which is labelled with the deceased's name, date of cremation, cremation number and place of cremation.
  - The metal cremation fob should be placed on a zip-tie which is then used to secure the plastic bag. This allows staff to ensure that the cremation number on the fob matches the cremation number on all applicable labels.
  - The plastic bag containing the cremated remains should be placed in a strong, plastic, temporary urn labelled with the deceased's name, date of cremation, cremation number and place of cremation.
  - If cremated remains are being shipped, the plastic temporary urn is placed in a cardboard shipping box which is labelled with the deceased's name, date of cremation, cremation number, and place of cremation.
  - If the family has purchased or provided an urn, the properly labelled plastic bag is placed into the urn which is labelled on the bottom of the urn with the deceased's name, date of cremation, cremation number, and place of cremation.
7. The corporate name of a funeral services business must be clearly disclosed to the public on all advertising. (January 9/15)
  8. The Board Investigator is not required to obtain the complainant's approval before sharing complaint information with the funeral business involved. (January 9/15)

## 2014 – 2015 Summary of Inspections

The AFSRB Inspector travelled to all of the principal Funeral Business locations with the province and met with business managers and occasionally funeral directors and embalmers. Discussions ensued regarding the Alberta Funeral Services Regulatory Board Guidelines for Funeral Service Contracts and the new approach to Continuing Education for all licensees.

### New funeral services business Inspections were conducted at:

Choice Memorial Inc.\ Choice Memorial Cremation & Funeral Services  
105, 4715 – 13 Street, NE, Calgary

McInnis & Holloway Funeral Home Ltd.\ McInnis & Holloway Cremation & Hospitality Centre  
12281 – 40<sup>th</sup> Street, SE, Calgary

Evan J. Strong Commemorative Services Ltd.\ Simply Cremation and Funeral Services  
103, 3424 – 27 Avenue, NE, Calgary

Sunset Funeral Service Ltd.  
311 Arena Avenue, Trochu

Central Alberta Family Funeral Services Ltd.\ Brennen Funeral Home and Cremation Services  
4819 – 49 Street, Stettler

Central Alberta Family Funeral Services Ltd.\ Coronation Funeral Home  
5117 Victoria Avenue, Coronation

Arbor Memorial Inc.\ Central Alberta Cremation Services  
6150 – 67 Street, Red Deer

Elegant Tributes Inc. 2017 Pegasus Road, NE, Calgary

### Closing funeral services business Inspections were conducted at:

RoI-Over Enterprises Inc.\ Simply Cremations & Funeral Services  
103, 3424 – 27 Street, NE Calgary

115806 Alberta Ltd.\ Prairie Winds Funeral Home  
311 Arena Avenue Trochu

Brennen Funeral Home (2001) Ltd.  
4819 – 49 Street Stettler

Coronation Funeral Home (2013) Ltd.  
5117 Victoria Avenue, Coronation

Lacombe Cremation Services Ltd.  
3806 – 52 Avenue Lacombe

Generations Funeral Services & Crematorium Inc.\ Simply Cremations & Funeral Services  
4664 Riverside Drive, Red Deer

## 2014 – 2015 Summary of Complaints

**Complaint: C 01 (14 – 15)**

File Opened: April 1, 2014                      File Closed: April 11, 2014

Issue: Questionable professional conduct.

Conclusion: Complainant received cremated remains as originally requested and did not have to purchase an urn. Business Manager reviewed the issue with the funeral director involved.

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**Complaint: C 02 (14 - 15)**

File Opened: April 3, 2014                      File Closed: June 25, 2014

Issue: Failure to provide monument in a timely manner.

Conclusion: Licensees were found in violation of the *Funeral Services Act and Funeral Services Act – General Regulation*. Penalty was imposed.

**Complaint: C 03 (14 - 15)**

File Opened: April 23, 2014                      File Closed: June 25, 2014

Issue: Failure to provide monument in a timely manner

Conclusion: Licensees were found in violation of the *Funeral Services Act and Funeral Services Act – General Regulation*. Penalty was imposed.

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**Complaint: C 04 (14 – 15)**

File Opened: May 7, 2014                      File Closed: June 9, 2014

Issue: Dispute over the disposition of human remains.

Conclusion: Section 36(1) and (2) of the *Funeral Services Act, General Regulation* clearly indicates who may control the disposition of human remains. The funeral director erred in the decision to follow the instructions of the deceased's children. This information was provided to both parties involved. No further action was required.

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**Complaint: C 05 (14 – 15)**

File Opened: June 12, 2014                      File Closed: June 28, 2014

Issue: Cancellation and refund of existing pre-need funeral services contract.

Conclusion: Complainant satisfied with the refund.

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**Complaint: C 06 (14 – 15)**

File Opened: June 12, 2014                      File Closed: September 2, 2014

Issue: Allegation of unprofessional conduct.

Conclusion: The content of the text messages referred to by the complainant provided no firm evidence of any wrong doing. There was no hint of an anticipated sexual experience with the complainant. No actual sexual assault had occurred.

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**Complaint: C 07 (14 – 15)**

File Opened: June 23, 2014                      File Closed: August 6, 2014

Issue: Allegation of unprofessional conduct

Conclusion: The complaint allegations were unfounded. The respondent was adhering to the current policy in place. The complainant now has a complete understanding of this process.

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**Complaint: C 08 (14 – 15)**

File Opened: March 18, 2013                      File Closed: May 10, 2013

Issue: Allegations of unprofessional conduct.

Conclusion: Complaint was reported for information only. All allegations were denied by the Business Manager via his lawyer. No firm evidence of any wrong doing was found.

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**Complaint: C 09 (14 – 15)**

File Opened: July 15, 2014                      File Closed: August 20, 2014

Issue: Allegations of unprofessional conduct

Conclusion: Nothing could be done on behalf of this family. The complainants were not pleased with the actions of the Edmonton Police Service nor the Medical Examiner's Office.

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**Complaint: C 10 (14 – 15)**

File Opened: July 31, 2014                      File Closed: August 28, 2014

Issue: Direct Solicitation

Conclusion: The complainant was satisfied with the apology.

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**Complaint: C 11 (14 – 15)**

File Opened: August 11, 2014                      File Closed: August 28, 2014

Issue: Cancellation of At-Need Cemetery Purchase Agreement

Conclusion: Complainant satisfied with the total refund.

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**Complaint: C 12 (14 – 15)**

File Opened: August 25, 2014                      File Closed:    October 10, 2014

Issue:                      Allegation of unprofessional conduct

Conclusion:    The complainant was satisfied the grave site would be repaired.

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**Complaint: C 13 (14 – 15)**

File Opened: Sept. 22, 2014                      File Closed:    October 11, 2014

Issue:                      Allegation of unprofessional conduct

Conclusion:    The complainant remains extremely upset and had nothing positive to say about her experience with this Funeral Service Business.

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**Complaint: C 14 (14 – 15)**

File Opened: August 29, 2014                      File Closed:    October 10, 2014

Issue:                      Payment for disposition of human remains

Conclusion:    Complainant satisfied and pleased to learn he was not responsible for payment.

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**Complaint: C 15 (14 – 15)**

File Opened: August 27, 2014                      File Closed:    November 27, 2014

Issue:                      No Explanation provided for costs on pre-need funeral services contract

Conclusion:    Explanation provided. Complainant satisfied.

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**Complaint: C 16 (14 – 15)**

File Opened: October 7, 2014                      File Closed:    November 27, 2014

Issue:                      Website advertisement appeared to be a copy of another website

Conclusion:    Complainant and respondent resolved this issue.

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**Complaint: C 17 (14 – 15)**

File Opened: October 10, 2014                      File Closed:    November 29, 2014

Issue:                      Allegation of infringement of trade name.

Conclusion:    The complaint is unfounded.

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**Complaint: C18 (14 – 15)**

File Opened: October 20, 2014                      File Closed: February 2, 2015

Issue: Disclosure of corporate name in advertising.

Conclusion: The Business Manager agreed to comply but is seeking further clarification about funeral home advertising.

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**Complaint: C 19 (14 – 15)**

File Opened: January 28, 2015                      File Closed: March 3, 2015

Issue: Concerns about services provided by pre-need insurance funded contracts

Conclusion: The differences in the contracts was explained to the satisfaction of the complainant.

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**Complaint: C 20 (14 – 15)**

File Opened: February 4, 2015                      File Closed: March 11, 2015

Issue: Disagreement about the Disposition of cremated remains.

Conclusion: Cremated remains were released to the common-law wife.

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**Complaint: C 21 (14 – 15)**

File Opened: February 11, 2015                      File Closed: March 11, 2015

Issue: Monument not provided in a timely manner

Conclusion: The complainants are very happy with the results of the investigation and consider this issue resolved.

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**Complaint: C 22 (14 – 15)**

File Opened: February 9, 2015                      File Closed: March 16, 2015

Issue: Questionable professional conduct and allegations of misleading advertising on ([www.calgaryfuneralreview.com](http://www.calgaryfuneralreview.com) )

Conclusion: The website advertising appears to have been misleading and was removed following the discussion between the complainant and the respondent. The issue appears to be resolved and the complainants request for a Board hearing was not acted on

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**Complaint: C 23 (14 – 15)**

File Opened: February 6, 2015                      File Closed: April 14, 2015

Issue: Pre-need contract concerns

Conclusion: The complainant received a refund of the cremation retort fee.

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**Complaint: C 24 (14 – 15)**

File Opened: February 27, 2015                      File Closed: Pending

Issue: Allegations of crematory emitting visible smoke, particles and noxious odors wafting throughout the area.

Conclusion: To date we have had no further similar complaints and the crematory is being monitored.

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**Complaint: C 25 (14 – 15)**

File Opened: February 22, 2015                      File Closed: May 4, 2015

Issue: Allegations of fraud and violations of the Funeral Services Act – General Regulation, Code of Conduct

Conclusion: Complainant has involved the Edmonton Police Service regarding fraud allegations. No further Board involvement.

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**Complaint: C 26 (14 – 15)**

File Opened: March 13, 2015                      File Closed: April 23, 2015

Issue: Questionable professional conduct

Conclusion: Complainant received refund and has cancelled her pre-arranged funeral plans.

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**Complaint: C 27 (14 – 15)**

File Opened: March 24, 2015                      File Closed: March 27, 2015

Issue: Concerns about an alleged unlicensed funeral director

Conclusion: Investigator explained the Funeral Services Act and General Regulations and assured the complainant that the funeral business in question did have a licensed Business Manager and Funeral Director on staff.