

Alberta Funeral Services Regulatory Board

Annual Report for year ending
March 31, 2016

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 2016 Annual Report. This Report covers information regarding the operation of the AFSRB from April 1, 2015 - March 31, 2016.

The past year was a busy one in the regulation of funeral services and members. Part of the mandate of the AFSRB is to ensure that families receiving funeral services in Alberta receive an acceptable standard of professional and ethical service from the regulated members of the funeral profession. This standard is ensured through regular inspections, investigation of specific complaints and continuing education courses. The Fall Forums conducted in September-October of 2015 gave the AFSRB the opportunity to provide information to the funeral professionals in Alberta and to receive input from those individuals on current topics.

The AFSRB continues to balance the concerns of the public and the needs of the funeral profession. The public has general access to details of funeral services through the AFSRB website, available brochures and handouts, telephone discussions with the Executive Director and public speaking availability of members of the AFSRB.

In the next year, the AFSRB will consider changes to the Funeral Services Act and Regulations, based on input received from its licensed members. Meetings will take place with Government representatives, including the Minister, to apprise them of the work which has been done and that which is still needed. The ongoing support of the staff at the AFSRB ensures that the protection of the public is maintained while the needs of the funeral profession are also addressed. As of March 31, 2016, Marilyn McPherson completed her time with the AFSRB and she received many wishes for a long and happy retirement. Karen Carruthers has now taken on the role of Executive Director and the AFSRB looks forward to a productive working relationship with Karen.

Christine Rapp, Chair
April 1st, 2015 thru March 31st, 2016

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 6 meetings, 3 conference calls and 1 oral hearing from April 1, 2015 to March 31, 2016.

2015 – 2016 AFSRB Members

Christine Rapp - Board Chair, Media Representative

Verna Rock - Vice Chair

William Kostiw - Treasurer

Dorothea Schaab – Education committee

Gemma Beierback - Education Committee

J Cameron Davis – AFSA liaison

Board Staff

Administrator
Board Inspector &
Complaints Investigator
Administrative Assistants

Marilyn McPherson
Wayne Konner

Rosanna Dame
Lorna Pagee

Auditors King & Company, Edmonton

2015 – 16 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 2015 the Alberta Funeral Services Regulatory Board licensed

- 162 funeral home locations,
- 43 crematories,
- 380 funeral director/embalmers,
- 141 funeral directors,
- 16 embalmers,
- 150 pre-need funeral salespeople.

Re-appointment of Public Board Member Christine Rapp

As of April 1, 2015 the Minister of Service Alberta, re-appointed Christine Rapp to serve a second three-year term of office as a public representative on the Board.

Election of Funeral Business Member Jeff Hagel

Jeff Hagel was elected by Alberta funeral businesses to serve a three-year term of office as a funeral business representative on the Board. This term commences on April 1, 2016.

Change in staff at the AFSRB office

After serving the Board for 24 years, Marilyn McPherson retired from the position of Board Administrator on March 31, 2016. A new Executive Director, Karen Carruthers, has been hired to fill this vacancy. Karen started with the Board on March 1, 2016.

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

Website

The Board's website 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 6 meetings, 3 conference calls and 1 oral hearing from April 1, 2015 to March 31, 2016.

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

Continuing Education

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.

The AFSRB implemented new continuing education requirements for all licensees which was effective April 2016. Every licensee must acquire 12 credits (12 hours) of continuing education every three years in order to maintain an active licence. Three of these credits will be determined by the Board.

There still appeared to be some confusion on these requirements even though many notices were sent out, so many licensees were trying to complete their continuing education at the last minute. However, by March 31, 2016 the majority of the licensees completed their required hours and were able to renew their licences on time.

Funeral Education Review Committee (FERC)

A committee was struck to create core competencies for funeral directors, embalmers and pre-need salespeople. Gemma Beierback was to lead the project. The development of the core competencies to be completed by May 31, 2016.

There was also a contract written with OMNIS Consulting (Joan Kruger) to review the educational material provided by both Mount Royal University and Canadian College of Funeral Service. Ms. Kruger will be incorporating the core competencies developed by FERC into her review of the two schools. A report of her findings is expected in June 2016.

AFSRB Policy Motions

The Board passed the following policy motions in 2015 - 2016:

1. The Advertising Best Practices were approved. (June 11, 2015)
2. The Board agreed to purchase comprehensive Dishonesty, Disappearance and Destruction Bond in the amount of \$850. (June 11, 2015)

3. Gemma Beierback is to audit both the MRU and CCFS funeral service education programs to determine the strengths and weaknesses of both programs. (July 24, 2015)
4. The AFSRB will offer 6 Fall Forums for funeral businesses to be held from September 24 to October 23. The locations for the forums will be Grande Prairie, Edmonton, Red Deer, Calgary, Lethbridge and Medicine Hat. (July 24, 2015)
5. The AFSRB hired a consulting firm, Juna Consulting, to create a position profile for the Executive Director and the part-time administrator. There were also employment contracts for these positions drafted as well. (November 6, 2015)
6. The Independent Contractor agreement drafted by Juna Consulting was approved in principle. (January 29, 2016)
7. A Funeral Education Review Committee was established to develop a list of core competencies needed for funeral directors, embalmers and pre-need salespeople in Alberta. This work is to be completed by May 31, 2016. (January 29, 2016)
8. A contract was written/approved with OMNIS (Joan Kruger) to review the school as well as compare the core competencies from FERC and incorporate this into her report. (March 3, 2016)
9. The Service Alberta Operational Review will be reviewed by the Board, and the Board will pass resolutions on the policies that are developed to address the concerns of the Review. (March 3, 2016)
10. The Board will create a new fund called the Employee Risk and Retention Fund (ERR Fund). \$50,000 from Future Operations Fund will be placed in the ERR Fund plus 4% per year thereafter to a maximum of \$100,000.
11. The AFSRB has revised the relationship it has with the Alberta Funeral Services Association (AFSA). There will no longer be a dedicated AFSA liaison that attends all AFSA meetings. Instead there will be two joint meetings between AFSRB and AFSA, one hosted by AFSRB and the other hosted by AFSA. If any issues arise that require a representative from the AFSRB to attend an AFSA meeting, someone will be delegated this duty based on knowledge of the issue.

2015 – 2016 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:

Trinity Funeral Home Ltd.
10530 – 116 Street, Edmonton

Claresholm Funeral Services Inc.
Willow Creek Funeral Home
4079 First Street West, Claresholm

Cochrane Funeral Services Inc.\
Cochrane Country Funeral Home
#6 Sundance Mall
402 Railway Street, West, Cochrane

Closing funeral services business Inspections were conducted at:

Appel Funeral Homes Ltd.
Central Memorial Chapel
10011 – 114 Street Edmonton

Arbor Memorial Inc.
Leyden's Funeral Home (Claresholm)
4079 First Street West Claresholm

Cochrane Funeral Services Inc.\
Cochrane Country Funeral Home
#6 Sundance Mall,
402 Railway Street, West, Cochrane

New Crematorium Facility Inspections were conducted at:

Choice Memorial Cremation & Funeral Services
105, 4715 – 13 Street N.E., Calgary

Foothills Crematorium & Care Centre
101, 5510 – 53 Street, Calgary

Smith Funeral Home Ltd.
440 Aquaduct Road, Brooks

Athabasca Community Chapel Ltd.
3403 – 48 Avenue, Athabasca

2015 – 2016 Summary of Complaints

The Board received 29 complaints during the 2015 – 2016 fiscal year. There were 23 complaints from consumers and 6 complaints from businesses. At year end, all of the complaints had been resolved. There were a variety of issues involved in these complaints as outlined below:

Consumer complaints:

- 8 complaints regarding questionable professional conduct
- 4 complaints regarding issues with cancelling a pre-need contract
- 3 complaints regarding pre-need contract provisions
- 2 complaints regarding the cost of goods and services
- 2 complaints regarding who controls final disposition of the deceased
- 1 complaint regarding the “identity” of cremated remains given to the family
- 1 complaint regarding clarification of the funeral arrangements
- 1 complaint regarding a family member who did not want to be responsible for final arrangements
- 1 complaint regarding the proper operation of a crematory (black smoke being produced)

Business complaints:

- 4 complaints regarding advertising of another business
- 1 complaint regarding a misleading Facebook post
- 1 complaint regarding perceived direct contact with consumers to enter into contracts

2015 – 2016 Hearings

On March 4, 2016, a hearing was held with Mr. Harvey Geisbrecht in regard to the proposed Funeral Director licence suspension. The decision from that hearing was as follows:

DECISION OF THE BOARD

[1] It is the decision of the Board that:

1. Mr. Giesbrecht’s 2015-2016 Funeral Director Licence will not be renewed on April 1, 2016.
2. Mr. Giesbrecht is prohibited from applying for or submitting an application for a renewal or issuance of a Funeral Director Licence under the Funeral Services Act and related regulations for two years (April 1, 2018).

REASONS FOR THE DECISION

[2] It is the jurisdiction of the Board to impose sanctions for breach of the Act and regulations. The Board has a role in protecting the public from funeral professionals who breach them. The Board is also authorized to set and maintain the highest level of professional and ethical standards for the provision of funeral services in the Province of Alberta.