

316.010 Definitions for chapter.

As used in this chapter, unless the context requires otherwise:

- (1) "Apprentice" means a person engaged in learning the practice of embalming or funeral directing who is under the instruction and personal supervision of a Kentucky-licensed embalmer or a Kentucky-licensed funeral director;
- (2) "Board" means the Kentucky Board of Embalmers and Funeral Directors;
- (3) "Direct burial" means the pick-up, transport, and interment of a dead human body or body parts without a funeral;
- (4) "Embalmer" means a person who preserves, restores, and disinfects dead human bodies by the application of chemical substances either externally or internally, or both;
- (5) "Embalming service establishment" means a place of business where dead human bodies are embalmed or otherwise prepared or held for burial. An embalming service establishment shall not arrange or conduct a funeral or direct burial. An embalming service establishment may arrange for and transport dead human bodies only under the following circumstances:
 - (a) On behalf of a full-service funeral establishment;
 - (b) On behalf of a visitation and ceremonial funeral establishment; or
 - (c) At the direction of a coroner;
- (6) "Funeral" means the ceremonies or services related to the final disposition and interment of a human body or body parts;
- (7) "Full-service funeral establishment" means a place of business where dead human bodies may be embalmed or otherwise prepared and held for burial and where funeral services may be arranged, provided, and conducted;
- (8) "Funeral director" means a person who, for profit, engages in or represents himself or herself as engaged in the supervision, direction, and arrangement of funeral services, transportation, burials, and disposals of dead human bodies;
- (9) "Funeral establishment" or "establishment" means:
 - (a) A full-service funeral establishment;
 - (b) An embalming service establishment; or
 - (c) A visitation and ceremonial funeral service establishment;
- (10) "Memorial service" means a ceremony or service held in honor of a deceased human being at which there are no human remains, as defined in KRS 367.97501(14) present, and for which no license is required;
- (11) "Person," as used in this chapter, includes but is not limited to an individual, partnership, firm, association, or corporation;
- (12) "In use" means that funeral directing or embalming is taking place in a funeral establishment;
- (13) "Courtesy card" means a card that is issued by the board to a funeral director or an embalmer from another state that gives the director or embalmer permission to receive and transport a dead human body to and from Kentucky for a funeral and to

conduct funeral services and burials in Kentucky;

- (14) "Supervision" means responsibility for the professional activities of the funeral establishment that requires a Kentucky-licensed funeral director or a Kentucky-licensed embalmer, as appropriate, to be on the premises when the funeral establishment is in use. If the Kentucky-licensed funeral director or the Kentucky-licensed embalmer is unable to be on the premises due to a reasonable circumstance, then the Kentucky-licensed funeral director or the Kentucky-licensed embalmer shall be within a reasonable proximity to the funeral establishment so that upon contact the funeral director or embalmer is able to immediately return to the funeral establishment; and
- (15) "Visitation and ceremonial funeral service establishment" means a location from which a funeral establishment may provide all services except embalming within either the same or adjoining county as that served by an affiliated full-service funeral establishment. The visitation and ceremonial funeral service establishment shall be owned in whole or in part by the affiliated full-service funeral establishment, and shall be located sufficiently close to the full-service funeral establishment to share administration and services in a manner that renders it unnecessary for the visitation and ceremonial funeral service establishment to independently meet the minimum licensure requirements for a full-service funeral establishment. A full-service funeral establishment may own and operate more than one (1) visitation and ceremonial funeral service establishment.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 160, sec. 1, effective June 27, 2019. -- Amended 2006 Ky. Acts ch. 112, sec. 1, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 90, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 149, sec. 1, effective July 15, 1996. -- Amended 1984 Ky. Acts ch. 82, sec. 1, effective July 13, 1984. -- Amended 1960 Ky. Acts ch. 52, sec. 1, effective June 16, 1960. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1599a-1.

Legislative Research Commission Note (7/15/2016). During codification of 2016 Ky. Acts ch. 59, a conforming correction was required to be made to subsection (10) of this statute to reflect the renumbering of definition subsections in 2016 Ky. Acts ch. 59, sec. 12 (KRS 367.97501).