

NEWS & INSIGHTS

Guidance for Death Care businesses in the “yellow” phase of reopening Pennsylvania

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The below information is current as of the publication date listed. Because COVID-19 response measures on all fronts are continually evolving, clients should stay alert to new developments and consult with counsel on any critical questions.

On May 8, 24 counties in the northwest and north-central regions of Pennsylvania will move from the “red” to the

“yellow” phase of Gov. Tom Wolf’s reopening process including Bradford, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, Lycoming, McKean, Mercer, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, Union, Venango and Warren.

The governor [issued guidance](#) on May 4 for businesses moving into the “yellow” phase. In this phase, all businesses, except those categories specifically excluded by the governor, are permitted to conduct in-person operations, if they adhere to this guidance.

Funeral and cemetery services in yellow-phase counties may now include up to 25 people. Although the May 4 guidance states that businesses which are “more stringently regulated under separate industry-specific guidance” must continue to follow that industry-specific guidance – such as the 10-person limit on funeral services found in [State Registrar Notice 2020-09](#) – we confirmed with the Pennsylvania Department of Health (DOH) that funeral homes and cemeteries in yellow counties may accommodate up to 25 people, provided proper social distancing is observed. The DOH expects to issue another State Registrar Notice soon, clarifying this point.

Funeral homes and cemeteries in yellow-phase counties must continue to follow the Secretary of Health’s [April 5 building safety order](#) and [April 15 worker and customer safety order](#). These are the same measures – such as requiring masks for all employees and customers – that life-sustaining businesses already have been subject to in order to maintain in-person operations. We summarized these orders in [prior updates](#).

In addition, businesses must print, sign and post the “COVID-19 Safety Procedures for Businesses” flyer on their premises. Letter and legal size versions of the flyer, along with Spanish translations, may be found on the [DOH website](#). A business need only post one version of the flyer.

The flyer must identify the name, phone number and email of a “Pandemic Safety Officer,” who will respond to questions about the requirements. The flyer must also be signed by the business’s owner or manager, confirming that the business will adhere to the requirements.

Saxton & Stump attorney [Jason Benion](#) is available to assist death care professionals with these and other questions as Pennsylvania begins to reopen from the COVID-19 pandemic.

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