

NEWS & INSIGHTS

Funeral Board COVID-19 waivers ending early

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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 August 5, 2021, the Pennsylvania Department of State announced a schedule for the expiration of COVID-related waivers and suspensions of professional licensing regulations. Funeral Board waivers will now expire on August 17, 2021.

On March 6, 2020, at the outset of the COVID-19 pandemic, Gov. Tom Wolf issued a “[Proclamation of Disaster Emergency](#),” which invoked certain emergency powers, including the power to waive or suspend professional licensing regulations. Under the disaster declaration, the Department of State issued nearly 100 waivers and suspensions, including waivers of the following Funeral Board regulations:

- [Allowing](#) a funeral home to retain a body for up to 30 days without obtaining Funeral Board permission
- [Allowing](#) resident interns to have a gap of up to 120 days in their internship without having to restart their internship
- [Allowing](#) retired funeral directors to more easily reactivate their license and without paying reactivation fees

In May 2021, Pennsylvania voters approved an amendment to the state’s constitution, which allows the General Assembly to end a disaster declaration by a resolution and without the governor’s signature. In June 2021, the General Assembly used this authority to end the governor’s disaster declaration.

At the same time, through [Act 21 of 2021](#), the General Assembly extended regulatory waivers issued under the disaster declaration until September 30, 2021, unless sooner terminated by the authority which issued the waiver. The Department of State has now [announced](#) a schedule for the expiration of its waivers and suspension.

All three Funeral Board waivers will expire on [August 17, 2021](#). Other professional licensing waivers and suspensions will expire in several phases between that date and September 30, 2021.

In an email announcing the [schedule of expirations](#), the Commissioner of Bureau of Professional and Occupational Affairs encouraged licensees to contact their representatives in the General Assembly with concerns about the expiration of the waivers.

Saxton & Stump attorney [Jason Benion](#) is available to assist death care businesses and professionals with these and other issues regarding the COVID-19 pandemic. Jason also collaborates with the firm’s [Regulatory and Government Affairs](#) team who connects clients with decision makers and help them navigate the complex government infrastructure and regulatory agencies to meet their goals.

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