

September 17, 2002

Kathleen Cartmell-Sirrico  
Chairman  
**MASSACHUSETTS BOARD OF REGISTRATION IN  
EMBALMING AND FUNERAL DIRECTING**  
239 Causeway Street  
Boston, MA 02114

**RE: Request for Advisory Ruling**

Dear Chairman Cartmell-Sirrico:

This will serve as a formal request to the Board of Registration in Embalming and Funeral Directing for an Advisory Ruling regarding the following:

**3.13: Code of Conduct and Professional Ethics**

*(11) No person who is registered with the Board, nor any person who holds an ownership interest in or is employed by any funeral establishment licensed by the Board, shall make the rendering of professional services dependent upon the amount of money paid or the certainty of payment.*

We respectfully seek the opinion of the Board. We have been advised that the Department of Transitional Services is, in some instances, referring to this section of the regulations to require funeral establishments to provide services funded by that Department. As you well know, this is done at a reimbursement amount that is inadequate to meet the actual costs of delivery of the services and merchandise required by the current Massachusetts statute.

In prior conversations with the Board, representatives of our organization have been told that this regulation applies only after a contractual agreement has been reached by the parties involved.

As a result of these conflicting opinions, we would appreciate your guidance by means of an Advisory Ruling.

Thank you.

Sincerely,

MASSACHUSETTS FUNERAL  
DIRECTORS ASSOCIATION

Richard C. Dewhirst, CFSP/CPC  
President



March 31, 2003

Kathleen Cartmell-Sirrico  
Chairman

**MASSACHUSETTS BOARD OF REGISTRATION IN  
EMBALMING AND FUNERAL DIRECTING**  
239 Causeway Street  
Boston, MA 02114

**RE: Request for Advisory Ruling**

Dear Chairman Cartmell-Sirrico:

Could you please let us know the status of the MFA Request For Advisory Ruling on the following:

**3.13: Code of Conduct and Professional Ethics**

*(11) No person who is registered with the Board, nor any person who holds an ownership interest in or is employed by any funeral establishment licensed by the Board, shall make the rendering of professional services dependent upon the amount of money paid or the certainty of payment.*

A copy of our original request dated September 17, 2002 is attached for your reference.

Any help you could provide in letting us know where this request for a ruling stands would be appreciated.

Sincerely,

MASSACHUSETTS FUNERAL  
DIRECTORS ASSOCIATION

A handwritten signature in black ink that reads 'Richard C. Dewhirst' with 'CFSP, CPC' written to the right. There is a small 'com' written below the signature.

Richard C. Dewhirst, CFSP/CPC  
President

Enclosures