

**RULES
OF
TENNESSEE BOARD OF FUNERAL
DIRECTORS AND EMBALMERS**

**CHAPTER 0660-06
FUNERAL ESTABLISHMENTS**

TABLE OF CONTENTS

0660-06-.01	Application	0660-06-.04	Inspection Required
0660-06-.02	Fixed Place of Business	0660-06-.05	Reserved
0660-06-.03	Change of Ownership		

0660-06-.01 APPLICATION.

- (1) Each person desiring to obtain an establishment license shall submit to the Board a completed application on a form prescribed by the Board and the fee(s) as required by Chapter 0660-03 of these rules along with the following documentation:
 - (a) a list containing names and addresses for all employees designating whether they are licensed as a funeral director and/or embalmer or unlicensed assistant and designating whether they are full-time or part-time employees;
 - (b) a letter of approval from the local zoning authority which shall include at a minimum the following information:
 1. The specific activity for which the location is approved, such as "funeral home", "crematory", etc.;
 2. Parking space availability required for the location, or a statement indicating that the zoning authority has no requirements with respect to parking.
 - (c) A letter from the appropriate authority indicating that the proposed establishment is properly connected to sewer services, or in the case of a location without available sewer service a letter indicating that the septic system is in proper working order and approved for the intended use.
- (2) An application for an establishment license shall be fully completed by applicant within ninety (90) days. After ninety (90) days have passed, any incomplete licensure application shall be closed.

Authority: T.C.A. §§ 62-5-203 and 62-5-304. **Administrative History:** Original rule filed January 28, 1975; effective April 28, 1975. Repealed and new rule filed June 13, 1980; effective September 29, 1980. Repealed and new rule filed February 20, 1985; effective March 22, 1985. Amendment to rule filed August 30, 1991; effective October 14, 1991. Amendment filed December 7, 2009; effective March 7, 2010. Amendments filed December 12, 2018; effective March 12, 2019.

0660-06-.02 FIXED PLACE OF BUSINESS.

- (1) An establishment shall not be operated, and no establishment license shall be granted or renewed, unless the applicant has a fixed place of business or establishment that is devoted to the care and preparation of dead human bodies.

(Rule 0660-06-.02, continued)

- (2) The Board, in determining whether an applicant's proposed fixed place of business or establishment is devoted to the care and preparation of dead human bodies, may consider factors including, but not limited to, the following:
 - (a) Any indication in the proposed establishment's name that suggests the establishment will be engaged in any activity other than the care and preparation of dead human bodies;
 - (b) Any evidence at the proposed place of business that suggests activity other than that incidental to the care and preparation of dead human bodies;
 - (c) The type of professional signage displayed in connection with any goods or services provided within the establishment;
 - (d) If the establishment is located within a business complex, whether the establishment is clearly separated from any other entity located within the complex and clearly distinguished by professional signage;
 - (e) The volume of preparation services or commemorative services provided for non-human remains; and
 - (f) The type and/or volume of advertising materials that offer preparation services or commemorative services for non-human remains.

Authority: T.C.A. §§ 62-5-203, 62-5-313, 62-5-313(a), and 62-5-317. **Administrative History:** Original rule filed January 28, 1975; effective April 28, 1975. Repealed and new rule filed June 13, 1980; effective September 29, 1980. Repealed and new rule filed February 20, 1985; effective March 22, 1985. Amendment filed December 7, 2009; effective March 7, 2010. Amendments filed December 12, 2018; effective March 12, 2019.

0660-06-.03 CHANGE OF OWNERSHIP.

Upon a change in ownership, the new owner shall apply for a new establishment license and shall not operate more than seventy-five (75) days without either issuance of a new license or appearing before the Board and obtaining an extension of time.

Authority: T.C.A. §§ 62-5-203, 62-5-315(c), and 62-5-317. **Administrative History:** Original rule filed January 28, 1975; effective April 28, 1975. Repealed and new rule filed June 13, 1980; effective September 29, 1980. Repealed and new rule filed February 20, 1985; effective March 22, 1985. Amendment filed December 7, 2009; effective March 7, 2010.

0660-06-.04 INSPECTION REQUIRED.

- (1) The Board, in addition to routine annual inspections, shall require an inspection of an establishment prior to approving an application for the following:
 - (a) A change of ownership;
 - (b) A change of location;
 - (c) An initial establishment license.
- (2) The Board shall require a reinspection of an establishment prior to the establishment offering services involving the preparation of non-human remains.

(Rule 0660-06-.04, continued)

Authority: T.C.A. §§ 62-5-203 and 62-5-315(c). **Administrative History:** Original rule filed January 28, 1975; effective April 28, 1975. Repealed and new rule filed June 13, 1980; effective September 29, 1980. Repealed and new rule filed February 20, 1985; effective March 22, 1985. Amendment filed December 7, 2009; effective March 7, 2010. Amendments filed December 12, 2018; effective March 12, 2019.

0660-06-.05 RESERVED.

Authority: T.C.A. § 62-5-203. **Administrative History:** Original rule filed January 28, 1975; effective April 28, 1975. Repealed and new rule filed June 13, 1980; effective September 29, 1980. Repealed and new rule filed February 20, 1985; effective March 22, 1985. Amendment filed December 7, 2009; effective March 7, 2010.