

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

**CHAPTER 0660-08  
CIVIL PENALTIES**

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0660-08-.01 Civil Penalties

**0660-08-.01 CIVIL PENALTIES.**

- (1) With respect to any person, partnership, firm, association or corporation required to be licensed by the Board, the Board may, in addition to or in lieu of any other lawful disciplinary action, assess civil penalties against such person for each separate violation of a statute, rule or order pertaining to the Board in accordance with the following schedule:

Violation		Penalty	
T.C.A. § 62-5-317(a)	(1)	Not more than \$1,000 Not less than \$250	
	(2)	Not more than \$1,000 Nor less than \$250	
	(3)	Not more than \$1,000 Nor less than \$250	
	(4)	Not more than \$1,000 Nor less than \$250	
	(5)	Not more than \$1,000 Nor less than \$250	
	(6)	Not more than \$1,000 Nor less than \$250	
	(7)	Not more than \$1,000 Nor less than \$250	
	(8)	Not more than \$1,000 Nor less than \$250	
	(9)	Not more than \$1,000 Nor less than \$250	
	T.C.A. § 62-5-317(b)	(1)	Not more than \$1,000 Nor less than \$250
		(2)	Not more than \$1,000 Nor less than \$250
		(3)	Not more than \$1,000 Nor less than \$250
		(4)	Not more than \$1,000 Nor less than \$250
		(5)	Not more than \$1,000 Nor less than \$250
		(6)	Not more than \$1,000 Nor less than \$250
		(7)	Not more than \$1,000 Nor less than \$250
		(8)	Not more than \$1,000 Nor less than \$250
		(9)	Not more than \$1,000 Nor less than \$250

(Rule 0660-08-.01, continued)

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| (10) | Not more than \$1,000<br>Nor less than \$250 |
| (11) | Not more than \$1,000<br>Nor less than \$250 |
| (12) | Not more than \$1,000<br>Nor less than \$250 |
| (13) | Not more than \$1,000<br>Nor less than \$250 |
| (14) | Not more than \$1,000<br>Nor less than \$250 |
| (15) | Not more than \$1,000<br>Nor less than \$250 |
| (16) | Not more than \$1,000<br>Nor less than \$250 |
| (17) | Not more than \$1,000<br>Nor less than \$250 |
- (2) Each day of continued violation shall constitute a separate violation.
- (3) In determining the amount of civil penalty to be assessed pursuant to this rule, the Board may consider such factors as the following:
- (a) Whether the amount imposed will be a substantial economic deterrent to the violator;
  - (b) The circumstances leading to the violation;
  - (c) The severity of the violation and risk of harm to the public;
  - (d) The economic benefits gained by the violator as a result of non-compliance;
  - (e) Whether the violator has been guilty of similar violations in the past and any discipline imposed for the past violations;
  - (f) The interests of the public; and
  - (g) The length of time that has elapsed between the alleged violation and filing of the complaint.

**Authority:** T.C.A. §§ 56-1-308, 62-5-203 and 62-5-317. **Administrative History:** Original rule filed September 22, 1987; effective November 6, 1987. Amendment filed August 30, 1991; effective October 14, 1991. Amendment filed December 7, 2009; effective March 7, 2010. Amendment filed June 2, 2014; effective August 31, 2014.